

AF/1763

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November 7, 2003

Commissioner for Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Serial No. 09/829,587
Title: SYSTEM FOR, AND METHOD OF, ETCHING A SURFACE ON A WAFER
Filed: April 9, 2001
Inventor: P. Laptev
Our Docket No. SPUTT-56141

Dear Sir or Madam:

We filed an appeal brief in the above-identified application on November 5, 2003. After we filed the appeal brief, we noticed that we had not included a set of the claims in an appendix.

We are accordingly enclosing another copy of the appeal brief with an appendix containing a set of the claims in the application.

Please note that we paid a fee when we filed the appeal brief on November 5, 2003. We do not believe that we should have to pay another appeal fee. However, if an additional fee is required, please charge the fee to account number 06-2425.

Cordially,

FULWIDER PATTON LEE & UTECHT, LLP

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ERR:dmc:31252.1
Enclosures

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		Application Number	09/829,587
		Filing Date	April 9, 2001
		First Named Inventor	Laptev, P.
		Art Unit	1763
		Examiner Name	Zervigon, R.
Total Number of Pages in This Submission		Attorney Docket Number	SPUTT-56141

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC)
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<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	FULWIDER PATTON LEE & UTECHT, LLP ELLSWORTH R. ROSTON, ESQ., REG. NO. 16,310
Signature	
Date	November 7, 2003

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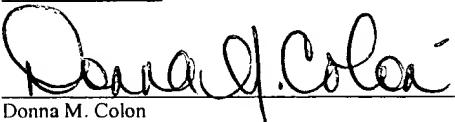
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Donna M. Colon

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

Inventor: Laptev, P.

Serial No. 09/829,587

Filed: 04/09/2001

For: SYSTEM FOR, AND METHOD OF,
ETCHING A SURFACE ON A WAFER

Examiner: Zervigon, R.

Group Art Unit: 1763

Confirmation No.: 7932

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Date: November 7, 2003

Los Angeles, California 90045

APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. Real Property Interest

Sputtered Films, Inc., the assignee of record of the application.

2. Related Appeal and Interferences

None

3. Status of Claims

Claims 1-21 and 43-51 have been rejected by the Examiner on the basis of prior art cited by the Examiner. These are the only claims in the application.

4. Status of Amendment

On October 30, 2003, applicant filed an amendment under Rule 116 to make minor changes in claims 1, 3, 8, 9, 48 and 49, such minor changes having been noted by applicant's attorney in studying the claims to prepare this appeal brief. The changes in the claims do not affect the scope of the claims. They are being made to make the claims consistent with applicant's specification and drawings as originally filed. The Examiner has not had an opportunity to act upon these proposed changes. Applicant believes that the Examiner will agree to enter the amendment because the amendment corrects informalities noted by applicant's attorney in the claims without affecting the scope of the claims.

5. Summary of the Invention

Copy page 7, line 3, to page 15, line 13 of the specification.

6. Issues

a. Is applicant the first to provide a smooth and uniform deposition on the surface of a layer in a wafer?

b. Is applicant the first to provide two (2) electrical fields, one (1) to produce an ionization of molecules of an inert gas and the other to etch the surface of a layer in the wafer with a low energy from the ionized molecules to produce a smooth and uniform surface on the wafer?

c. Is applicant the first to provide two (2) electrical fields, one with a high strength to ionize molecules of an inert gas and the other with a low strength to etch the surface of the layer with the ionized gas and provide the surface with smooth and uniform characteristics?

d. Is applicant the first to provide two (2) electrodes, the first spaced further from the wafer than the second and the second contiguous to, but spaced from, the wafer and to use the first electrode in providing an electrical field with a high strength and to use the second electrode in providing an electrical field with a low strength?

e. Is applicant the first to provide a first electrode and a first electrical conducting member disposed relative to each other for producing a first electrical field of a high strength to ionize molecules of an inert gas and for providing a second electrode and a second electrical conducting member disposed relative to each other for producing a second electrical field of a low strength to the surface of the layer in the wafer to provide the surface of the wafer with smooth and uniform characteristics?

f. Is applicant the first to dispose the second electrode in contiguous, but spaced, relationship to the wafer to obtain the production of two capacitors in series, one having a low impedance and the second having a high impedance whereby the high impedance limits the flow of current through the capacitor and provides for the production of a smooth and uniform surface on an insulating layer in the wafer?

g. Is applicant the first to provide a dielectric of the molecules and ions of the inert gas as an insulation layer and to provide the insulation layer as the dielectric in the second capacitor?

h. Is applicant the first to define the plates of the capacitor of high impedance by the first electrode and by the electrically conductive layers in the wafer and to define the plates of the capacitor of low impedance by the electrically conductive layers in the wafer and the charge provided by the ions of the inert gas?

i. Is applicant the first to provide a wafer having a floating potential relative to the negative potentials on the first and second electrodes and relative to a reference potential in an apparatus for etching a surface of an insulating layer in a wafer to provide the surface with smooth and uniform characteristics?

7. Grouping of Claims

The Examiner has grouped applicant's claims into two (2) groups as follows:

a. Claims 1-4, 7-9, 11, 14-16, 19-21, 43-47 and 51. These claims have been rejected under 35 U.S.C. 102(b) as being anticipated by Koshimizu patent 5,980,687 and demonstrated by Mountsier patent 5,810,933.

b. Claims 5, 6, 10, 12, 13, 17, 18, 20, 48, 49 and 51. These claims have been rejected under 35 U.S.C. 103(a) as being unpatentable over Koshimizu patent 5,990,687 in view of Mountsier patent 5,810,933.

Applicant respectfully disagrees with the grouping of claims by the Examiner. Applicant proposes the following grouping of the claims and indicates below, for each group, how the claims in that group are patentably distinguished from the claims in the other groups.

i. Claims 1 and 4. These claims recite a combination that includes first and second electrodes wherein the first electrode is constructed, disposed

and biased to ionize molecules of an inert gas and the second electrode is constructed, disposed and biased to obtain a movement of ions of the inert gas to a wafer at a low and controlled speed for an etching of the insulating layer of the wafer by the ions at the low and controlled speed.

ii. Claims 2, 5, 6, 9, 16, 45, 46, 47 and 50. In addition to reciting the first and second electrodes, these claims recite first and second electrical conducting members respectively associated with the first and second electrodes to create first and second electrical fields.

iii. Claim 3. First and second sources of alternating voltages are provided for creating biases respectively on the first and second electrodes, the biases on the electrodes being negative direct voltages and the bias on the second electrode being less than the bias on the first electrode.

iv. Claims 7, 21, 43 and 44. First and second sources of alternating voltage respectively produce voltages of high and low magnitudes on, or in the vicinity of, the first and second electrodes for the creation respectively of first and second electrical fields of high and low strength in an enclosure. The wafer is disposed relative to the ions of an inert gas to receive an etching of a low magnitude on the surface of the insulating layer in the wafer.

v. Claim 8. The second electrode is contiguous to, but spaced from, the wafer.

vi. Claims 11, 14, 19, 48, 49 and 51. The wafer is disposed relative to the second electrode to create the first and second capacitors, one having a low impedance and the other having a high impedance.

vii. Claims 10, 12, 17, 18 and 20. The wafer is disposed between the first and second electrodes and a floating potential is provided on the wafer relative to the negative potential on the first and second electrodes.

viii. Claim 13. The wafer is disposed in a spaced, but contiguous, relationship to the second electrode to create a first capacitor between the second electrode and the wafer and to create a second capacitor between the wafer and the ions of the inert gas in the enclosure.

ix. Claim 15. The first capacitor includes a dielectric of the molecules and ions of the inert gas and the second capacitor includes a dielectric constituting the insulating layer(s) in the wafer.

8. Argument.

a. General Discussion Relating to the Differences Between Applicant's Invention (Not Applied Specifically to any of the Claims) and the prior art. Claim 1-4, 7-9, 11, 14-16, 19-21, 43-47 and 50 have been rejected under 35 U.S.C. 102(b) as being anticipated by Koshimizu patent 5,980,687 and demonstrated by Mountsier patent 5,810,933. The Examiner has had to cite two (2) references in combination to reject these claims. The claims are accordingly not anticipated by Koshimizu.

The Examiner has applied the electrodes 116 and 110, the wafer W attached to the electrode 116 and the conduit 202 in Koshimizu against claims 1-4, 7-9, 11, 14-16, 19-

21, 43-47 and 50. The citation of the electrodes 116 and 110 against these claims constitutes an aggregation. This results from the fact that the electrode 110 has no effect on the production of a deposition on the wafer W attached to the electrode 116. Similarly, the electrode 116 has no effect on the production of a deposition on the wafer W attached to the electrode 110. This may be seen from the following statement in Koshimizu at column 6, lines 27-30:

"Moreover, in the etching apparatus 100,
wafers W fixed on the first and second
susceptors 110 and 116 can simultaneously be
subjected to the same etching process, thereby
increasing the throughput of the apparatus."

A simultaneous deposition of two (2) wafers, each deposition performed independently of the other, does not mean that the apparatus for producing the two (2) wafers constitutes a combination.

Stating the results simply, the operation of the electrode 110 in Koshimizu does not affect the deposition produced on the upper one of the wafers as in Figure 3 by the voltage on the electrode 116. Furthermore, as will be discussed in detail subsequently, Mountsier does not teach or demonstrate what Koshimizu allegedly discloses but does not make operative.

The Examiner has admitted on page 8 of the Office Action dated October 11, 2003 that Koshimizu discloses an aggregation rather than a combination. This may be seen from the following statement by the Examiner at the top of page 8 of the Office Action:

"The Examiner agrees that Koshimizu
operates the second 110 and first electrodes 116
independently of each other to process any
number of wafers including one." (Underlining
supplied).

The word "independently" indicates that Koshimizu's apparatus is an aggregation.

Since the Koshimizu apparatus constitutes an aggregation, Koshimizu discloses two substantially identical combinations. One combination involves the electrodes 116 (but not the electrode 110) and the wafer W closest to the electrode 116 and the other involves the electrode 110 (but not the electrode 116) and the wafer W closest to the electrode 110. As a result, Koshimizu does not disclose a combination involving two (2) electrodes. There may be two (2) separate combinations in Koshimizu, but the two (2) combinations constitute an aggregation. There is accordingly only a simple electrode (116 or 110) in each of the two (2) separate combinations in Koshimizu.

All of applicant's claims involve a combination of two (2) electrodes. These two (2) electrodes are interrelated in a single combination. Because of this, there is a fundamental difference between the single combination recited in applicant's claims and the two (2) independent combinations in Koshimizu.

There is another fundamental difference between the single combination recited in applicant's claims and the two (2) independent combinations constituting an aggregation in Koshimizu. One of applicant's electrodes (24) is involved in producing argon ions from argon molecules. The electrode 24 receives a high voltage. The other (22) of

applicant's electrodes is involved in etching a surface 12 of an insulated layer 14 in a wafer 16 at a low and controlled voltage and at a low energy to provide a smooth surface on the layer. In contrast, the electrodes 116 and 110 in Koshimizu perform the same function. Neither of the electrodes 116 and 110 in Koshimizu etches a surface of the wafer W at a low and controlled rate to provide the etching with a smooth surface.

There is a further significant difference between applicant's invention and Koshimizu. As shown in Figure 4a and 4B of applicant's drawings, applicant provides two (2) capacitors 52 and 54 in a series relationship. One of these capacitors has a high impedance. This limits to a low value the current flowing through the capacitors. This low current causes the etching of the material on the surface 12 of the layer 14 to be smooth and uniform.

In the Office Action dated July 11, 2003, the Examiner has made a number of statements about the construction and operation of the Koshimizu apparatus that are not supported by the specification and drawings in Koshimizu. These include the following:

i. According to the Examiner on page 4 of the Office Action, a first member 104 is disposed adjacent the first electrode 116 for providing a reference potential different in magnitude from the bias on the first electrode. However, Koshimizu does not disclose the magnitude of the voltage on either of the electrodes 116 and 110. Thus, the Examiner's statement about voltage is unsupported. Furthermore, Koshimizu does not disclose the distance between the electrode 116 and the container 104. However, judging from Figure 1 in Koshimizu, the electrode 116 and the container

104 do not appear to be adjacent each other. Koshimizu also does not disclose that the electrode 116 and the container 104 produce a first electrical field.

ii. Koshimizu states on page 4 of the Office Action that the annular rail 204 is adjacent the electrode 110 for providing the reference potential to create a second electrical field. The voltage applied to the electrode 110 is not disclosed in Koshimizu. Koshimizu does not disclose the application of any voltage to the electrode 110 or the annular rail 204. Koshimizu does not disclose that the annular rail 204 is adjacent to the electrode 110. Figure 3 in Koshimizu does not indicate any such adjacent relationship. It would appear that no electrical field is created by the electrode 110 and the annular rail 204. This is particularly true since the annular rail 204 appears to be floating because it is disposed on the insulating support plate 108.

iii. There is a statement by the Examiner on page 4 of the Office Action that a first source 134 of alternating voltage creates a bias on the electrode 116, this bias being a negative direct voltage. There is no indication in Koshimizu that the alternating voltage from the source 134 creates a bias or a negative direct voltage. The Examiner attempts to use applicant's disclosure to support his statement that there is a bias of a negative direct voltage on the electrode 116. However, Koshimizu does not disclose the production of positive ions in first half cycles and negative electrons in the other half cycles. Therefore, applicant's disclosure is not applicable to Koshimizu.

iv. The Examiner states on page 3 of the Office Action that the second source 130 of alternating voltage creates a bias on the electrode 110, this bias being a negative direct voltage. There is no indication in Koshimizu that the alternating

voltage from the source 130 creates a bias or that any such bias is a negative direct voltage.

v. The Examiner states on page 4 of the Office Action that "...it is anticipated by Koshimizu and common practice in he art that all wafers (or other articles) positioned on supports or electrodes would necessarily have a gap between the wafer/article and the support surface upon which the wafer/article is resting or electrically clamped." This is an unsupported statement by the Examiner. The Examiner should be required to provide support in the prior art for this statement, particularly since the Examiner states that this is "common practice in the art." If it is "common practice in the art," Examiner should have no difficulty in providing a prior art reference that discloses that it is "common practice." Furthermore, the sentence quoted above with the words "and where providing a direct current bias as a result of the first (134) and second (130) sources of alternating voltage" has no meaning, particularly since there is no verb.

vi. The Examiner then states on pages 4 and 5 of the Office Action:

"This is demonstrated by Mountsier who shows a typical wafer-support interface (62/52; Figure 6). As such, when the structure recited in the reference is substantially identical to that of the claims, claimed properties or functions are presumed to be inherent."

Where does Mountsier "demonstrate" this? Applicant finds no demonstration to this effect in Mountsier. Certainly the structure 62/52 in Figure 6 of Mountsier does not disclose this.

vii. According to the Examiner on page 3 of the Office Action dated July 11, 2003, "the first (116) electrode is contiguous (neighboring) to, but spaced from, the wafer (W attached to the electrode 116 Figure 1, 3)." If the wafer is attached to the electrode 116, the wafer cannot be contiguous to the electrode. Furthermore, the wafer W is not "contiguous" or "neighboring" to the electrode 116. Koshimizu indicates in column 4, lines 8-10, that the electrode 116 "can fix a wafer W thereon." This prevents the wafer W and the electrode 116 from being contiguous. Furthermore, the drawings in Koshimizu show the wafer W as being disposed on the electrode 116.

viii. In column 4, lines 48-51, Koshimizu states:

"Thus, predetermined high frequency powers are, preferably the same high frequency power is, applied to the first and second susceptors 110 and 116, respectively."

Koshimizu does not disclose that different amounts of power are applied to the susceptors 110 and 116. Even if different amounts of power should be applied to the susceptors 110 and 116, Koshimizu does not disclose which one of the susceptors receives the greater amount of power.

ix. According to the Examiner on page 6 of the Office Action dated July 11, 2003:

"Mountsier, as stated above, teaches a wafer support platform (52, Figure 5; column 4, lines 20 23) (sic) that provide a series relationship between two capacitors, one (68 dielectric gap; Figure 5; column 4, lines 20-23) having a high capacity impedance and the other (80/82 dielectric gap; Figure 6) having a low capacity impedance. In particular, because the wafer support 52 is made of an electrical insulator (ceramic, column 5, lines 8-20) capacitance across the stated points is established and the wafer (62) is electrically floated."

Applicant respectfully disagrees with the Examiner's position that Mountsier discloses two (2) capacitors and that, if there are two (2) capacitors, one has a high impedance and the other has a low impedance. This may be seen primarily from Figures 5, 6 and 7 in Mountsier. In Figure 5, the different elements shown have the following properties:

68 - gap filled with a gas such as helium or nitrogen

52 – ceramic disk

54 – layer of thermally conductive paste

56 – metal support disc

58 – layer of thermally conductive paste

60 – metallic coating disc

Figures 5 and 7 show a device for cooling the wafer 62. There is no discussion by Mountsier that the device provides electrical capacitors. Furthermore, the element 54 and 58 constitute thermally conductive paste. A thermal conductor is not necessarily an electrical conductor. If the elements 54 and 58 are electrically conductive, only the ceramic disc 52 is dielectric. This prevents the device in Figures 5 and 7 from providing two (2) capacitors. If the elements 54 and 58 are electrical insulators, it is possible to have two (2) capacitors in series assuming that the metal support disc 56 serves as a conductive plate in each of the capacitors.

Even if Figure 5 and/or in Mountsier can be considered to provide two (2) capacitors, one does not have a high impedance and the other a low impedance. There is no statement in Mountsier to this effect. Furthermore, the dimensions of the elements in Figure 5 of Koshimizu do not support this. Figure 6 in Koshimizu is no help to the Examiner in this regard since Figure 6 shows only the wafer 62 and the ceramic disc 52.

Of course, it is possible that one of the thermally conductive plates 54 and 58 may be electrically conductive and the other may be electrically insulating. This further establishes that Mountsier has not provided a sufficient disclosure to support the Examiner's position since it provides different possibilities, not clarified, in either Koshimizu or Mountsier.

b. Differences between applicant's invention and Koshimizu (as applied specifically to the claims).

There are other significant reasons why claims 1-21 and 43-51 are allowable over Koshimizu. For example, claim 1 is allowable over Koshimizu because Koshimizu does not disclose a first electrode and magnetic members disposed relative to each other and to the molecules of an inert gas for ionizing molecules of the inert gas. There is also disclosure in Koshimizu that a second electrode and a wafer are disposed relative to each other and to the ions of the inert gas, and the second electrode is constructed, to obtain a movement of the ions to a surface of an insulating layer in the wafer at a low and controlled speed for an etching of the surface of the insulating layer by the ions at the low and controlled speed. Certainly neither the electrode 110 nor the electrode 116 in Koshimizu performs this function.

Claim 2 is dependent from claim 1 and is accordingly allowable over Koshimizu for the same reasons as claim 1. Claim 2 is also allowable over Koshimizu because Koshimizu does not disclose that a first electrical field and a magnetic field are disposed relative to each other and to the molecules of the inert gas for ionizing the molecules of the inert gas. Koshimizu also does not disclose that a second electrical field and the magnetic field are disposed relative to each other and to the ions of the inert gas to obtain the movement of the ions to the wafer at the low and controlled speed for an etching of the surface of the wafer by the ions at the low and controlled speed.

Claim 3 is allowable over Koshimizu because it is dependent from allowable claim 1. This is also true of claim 4.

Koshimizu does not disclose certain of the features recited in claim 7. For example, Koshimizu does not disclose first and second electrodes and a first source of an

alternating voltage for producing a direct negative voltage of a high magnitude on the first electrode for the creation of a first electrical field of a high magnitude in an enclosure. There is also disclosure in Koshimizu of a second source of an alternating voltage for producing a direct negative voltage of a low magnitude on the second electrode for the creation of a second electrical field of a low magnitude in the enclosure. No disclosure is further provided in Koshimizu that the wafer is disposed relative to the second electrode and to the ions of the inert gas in the enclosure to receive an etching of a low magnitude on the surface of an insulating layer in the wafer by the ions of the inert gas in the enclosure.

Because of its dependency from claim 7, claim 8 is allowable over Koshimizu for the same reasons as claim 7. Claim 8 is also allowable over Koshimizu because of the recitation of the operation of the first and second sources of alternating voltages respectively to produce a direct voltage of a high magnitude and a negative polarity on the first electrode and to produce a direct voltage of a low magnitude and a negative polarity on the second electrode and because of the recitation that the second electrode is disposed in a contiguous, but spaced, relationship to the wafer.

Applicant recites in claim 9 first and second electrical conductors and their respective dispositions relative to the first and second electrodes. Koshimizu does not disclose first and second electrical conductors and certainly does not disclose first and second electrical conductors with the characteristics recited in claim 9. Claim 9 is also allowable over Koshimizu because it is dependent from allowable claim 7.

Claim 11 is allowable over Koshimizu because Koshimizu does not disclose that the wafer is disposed in a spaced, but adjacent, relationship to the second electrode to create a first capacitor between the second electrode and the wafer and to create a second capacitor between the wafer and the ions of the inert gas in the enclosure. Claim 11 is also allowable over Koshimizu for the same reasons as discussed above with respect to claim 7 because it is dependent from claim 7.

Claim 14 is allowable over Koshimizu because Koshimizu does not provide the following elements such as recited in the claim: (a) a first source of an alternating voltage, (b) a first electrode, (c) a second source of an alternating voltage, (d) a second electrode and (e) the recitation in lines 16-19 that the second electrode and the wafer provide a first capacitor of a high impedance and that the wafer and the ions in the enclosure provide a second capacitor of a low impedance in a circuit to produce a current of a low magnitude for etching the surface of the insulating layer in the wafer.

Because of its dependency from allowable claim 14, claim 15 is allowable over Koshimizu for the same reasons as allowable claim 14. Claim 15 additionally recites that the first capacitor includes a dielectric of the molecules and ions of the inert gas and that the second capacitor includes a dielectric constituting the insulating layers in the wafer. Koshimizu does not disclose these features.

Claim 16 is allowable over Koshimizu because Koshimizu does not disclose first and second electrically conductive members such as recited in the claim. Claim 16 is also allowable over Koshimizu because of its dependency from allowable claim 14.

Claims 19 and 20 are dependent from allowable claim 14 and are accordingly allowable over Koshimizu for the same reasons as claim 14. Claim 20 is additionally allowable over Koshimizu for the same reasons as discussed above for claims 15 and 16.

In claim 21, the following recitations distinguish patentably over Koshimizu: (a) an enclosure including first and second electrodes, (b) a first voltage source for producing a voltage of a high magnitude on the first electrode to obtain a production of a high electrical field in the enclosure, (c) a second voltage source for producing a voltage of a low magnitude on the second electrode to obtain a production of a low electrical field in the enclosure and (d) a supply of molecules of an inert gas for introduction into the enclosure to cooperate with the first and second electrodes and magnetic members in obtaining an ionization of the gas molecules in the enclosure by the electrical and magnetic fields in the enclosure and in obtaining a movement of the ions in the enclosure to the insulating layer in the wafer at a speed to obtain a smooth and uniform etching of the surface of the insulating layer at a low rate without the creation of any pits in the surface of the insulating layer.

Claims 43-47 and 50 are directly or indirectly dependent from claim 21. Because of this, they are allowable over Koshimizu for the same reasons as claim 21. Claims 43-47 and 50 are also allowable over Koshimizu for these additional reasons:

Claim 43

The recitation of the first and second electrodes in cooperation with the magnetic field to produce the results specified in the claim.

Claim 44

The cooperation between the first voltage source and the first electrode to produce a strong negative direct voltage in the vicinity of the first electrode. The cooperation between the second voltage source and the second electrode to produce a weak negative direct voltage in the vicinity of the second electrode.

Claim 45

First and second electrical conducting members respectively in co-operative relationships with the first and second electrodes.

Claim 46

The relative disposition between first and second electrical conducting members and the first and second electrodes.

Claim 47

The relative disposition between the first electrical conducting member and the first electrode and between the second electrical conducting member and the second electrode.

Claim 50

The cooperative relationship between the first electrical conducting member and the first electrode and between the second electrical conducting member and the second electrode.

c. The effect of the combination of Mountsier with Koshimizu to reject applicant's claims as anticipated by Koshimizu.

The Examiner has referred to MPEP 2121.01 in indicating that Koshimizu is demonstrated by Mountsier. MPEP 2121.01 indicates that a second prior art reference may be combined with a first prior art reference when the first prior art reference does not provide an enabling disclosure. Apparently the Examiner believes that Koshimizu's patent, by itself, does not provide an enabling disclosure. This is certainly not a factor in favor of the citation of Koshimizu against applicant's claims. The Examiner is then applying Mountsier to make the Koshimizu disclosure enabling. This is apparently what the Examiner means by the words "demonstrated by Mountsier" in the first sentence of Section 3 on page 2 of the Office Action dated July 11, 2003.

One problem with respect to the Examiner's position is that the Examiner does not specify in the Office Action dated July 11, 2003 what is not enabling in Koshimizu with respect to applicant's claims 1-4, 7-9, 11, 14-16, 19-21, 43, 44, 45, 46, 47 and 50 and what Mountsier contributes to make Koshimizu enabling with respect to the discussion by the Examiner in Section 3 on pages 2-5 of the Office Action dated July 11, 2003. The only mention of Mountsier by the Examiner on pages 2-5 of the Office Action appears to be on page 3, line 6, and the next-to-last line on page 4 of the Office Action. These references to Mountsier are so vague that they have no meaning. Furthermore, the disc 52 and the wafer 62 in Figures 5-7 of Mountsier do not define first and second capacitors such as recited by applicant in the claims.

At any rate, claims 1-4, 7-9, 11, 14-16, 19-21, 43-47 and 5D are allowable over Mountsier for all of the reasons specified above as to why these claims are allowable over

Koshimizu. Since Mountsier is lacking the same features in applicant's claims as Koshimizu, Mountsier cannot "demonstrate" what Koshimizu does not teach.

Claims 5, 6, 10, 12, 13, 17, 18, 20, 48, 49 and 51 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Koshimizu in view of Mountsier. All of claims 5, 6, 10, 12, 13, 17, 18, 20, 48, 49 and 51 are dependent from claims allowable over Koshimizu as specified above and are accordingly allowable over the combination of Koshimizu and Mountsier for the same reasons as specified above for the claims from which they are dependent.

Claims 5, 6, 13, 20 and 51 also include a recitation of first and second electrical conducting members. Neither Koshimizu nor Mountsier discloses these electrical conducting members. This is another reason why claims 5, 6, 13, 20 and 51 are allowable over the combination of Koshimizu and Mountsier.

Claims 48 and 49 recite a series relationship between two (2) capacitors, one having a high capacity impedance and the other having a low capacity impedance wherein the high capacity impedance limits the energy providing for the etching of the surface of the insulating layer in the wafer. Neither Koshimizu nor Mountsier discloses two (2) capacitors having characteristics such as recited in claims 48 and 49. Contrary to the position of the Examiner, Mountsier does not teach two (2) capacitors in a series relationship, one capacitor having a high capacitor impedance and the other capacitor having a low capacitor impedance. The structure shown in Figures 5 and 6 of Mountsier does not provide two (2) capacitors in series, one with a high capacity impedance and the other with a low capacity impedance. Furthermore, the structure shown in Figures 5 and

6 of Mountsier is for cooling and not for providing electrical capacitance. For example, Mountsier does not disclose whether layers 54 and 52 of thermally conductive paste are made from an electrically dielectric material or an electrically conductive material.

Furthermore, the recitation that the high capacity impedance limits the energy providing for the etching of the surface of the insulating layer in the wafer constitutes a structural limitation, not a functional limitation. Neither Koshimizu nor Mountsier discloses this structural limitation.

Koshimizu states the following in column 4, lines 48 and 49:

". . . Thus, predetermined high frequency powers are, preferably the same high frequency power is, applied to the first and second susceptors 110 and 116, respectively."

Applicant agrees with the Examiner that Koshimizu infers by the word "preferably" that one of the electrodes 110 and 116 can receive a different amount of power than the other electrode. But there is no indication of which one of the electrodes can receive the greater amount of power.

Applicant is not certain what the Examiner means by the word "demonstrated" on page 3, line 6 of the Office Action dated July 11, 2003. Apparently, the Examiner is not satisfied with Koshimizu as a single reference. Since the Examiner has had to cite Mountsier in combination with Koshimizu, the claims should not be considered as anticipated by Koshimizu. Rather, the claims should be considered patentable over the combination of Koshimizu and Mountsier since Koshimizu does not disclose a number of

the features recited by applicant in the claims and Mountsier does not disclose the same features that Koshimizu fails to disclose.

d. The effect of the combination of Mountsier and applicant's alleged admission on page 12, lines 1-9 of applicant's specification to reject the claims.

Applicant has indicated above in detail all of the failures of Mountsier to disclose specific features recited in applicant's claims. As will be seen, these failures are many. These same features apply equally as well to applicant's alleged admissions on page 12, lines 1-9 of applicant's specification. The differences between applicant's invention as disclosed and claimed in this application and applicant's alleged admission on page 12, lines 1-9 of applicant's specification constitute the differences between success and failure. Applicant's prior embodiment did not provide a smooth and even etching of a surface of an insulating layer in a wafer. Applicant's apparatus as disclosed and claimed in this application provides a smooth and even etching of a surface of an insulating layer in a wafer.

e. The law relating to the combination of Koshimizu and Mountsier, and the combination of Mountsier and applicant's alleged admission, to reject the claims.

In order for different prior art references to be combined to reject a claim, the references have to disclose or suggest the combination recited in the claim. ACS Hospitality Systems, Inc. v. Montefiore Hospital, 732 F.2d 1572, 221 USPQ 929 (Fed. Cir. 1984). As the Federal Circuit indicated in the ACS case at 732 F.2d 1577, 1579, 221 USPQ 929, 933:

"Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention absent some teaching or suggestion supporting the combination. Under Section 103, teaching of references can be combined only if there is some suggestion or incentive to do so."

See also In re Fine, 837 F.2d 1071, 5 USPQ 2d 1596, (Fed. Cir. 1988) and In re Jones, 1958 F.2d 347, 21 USPQ 2d 1941 (Fed. Cir. 1992) in support of the holding in the ACS case. Neither Koshimizu nor Mountsier cited by the Examiner to reject the claims in this application discloses or suggests certain of the features recited in the claims. Furthermore, neither Mountsier nor applicant's alleged admissions discloses or suggests certain of the features recited in the claims. The references cannot accordingly be combined to reject the claims.

f. Reconsideration and allowance of the application are respectfully requested.

9. Appendix.

1. In combination for etching an insulating layer in a wafer to present a clean and fresh surface on the insulating layer for deposition,
 - a conduit for molecules of an inert gas,
 - a first electrode biased to a first voltage and spaced from the wafer,
 - a second electrode biased to a second voltage lower than the first voltage and spaced from the first electrode and the wafer and spaced from the wafer less than the first electrode,
 - magnetic members providing a magnetic field,
 - the first electrode and the magnetic members being disposed relative to each other and to the molecules of the inert gas for ionizing the molecules of the inert gas, and
 - the second electrode and the wafer being disposed relative to each other and to the ions of the inert gas, and the second electrode being constructed, to obtain a movement of the ions to the wafer at a low and controlled speed for an etching of the surface of the insulating layer by the ions at the low and controlled speed.

2. In a combination as set forth in claim 1,

1. a first member disposed adjacent the first electrode for providing a reference potential different from the bias on the first electrode to create a first electrical field, and
 1. a second member disposed adjacent the second electrode for providing the reference potential to create a second electrical field,

the first electrical field and the magnetic field being disposed relative to each other and to the molecules of the inert gas from the supply for ionizing the molecules of the inert gas,

the second electrical field and the magnetic field being disposed relative to each other and to the ions of the inert gas to obtain the movement of the ions to the wafer at the low and controlled speed,

the second electrode being contiguous to, but spaced from, the wafer.

3. In a combination as set forth in claim 1,

a first source of alternating voltage for creating the bias on the first electrode, the bias on the first electrode being a negative direct voltage,

a second source of alternating voltage for creating the bias on the second electrode, the bias on the second electrode being a negative direct voltage,

the bias on the first electrode being greater than the bias on the second electrode.

4. In a combination as set forth in claim 1,

the first electrode being disposed in a substantially parallel and contiguous relationship to the wafer,

there being a path for the flow of the argon molecules from the vicinity of the first and second electrodes and the magnetic members.

5. In a combination as set forth in claim 1,

the wafer being at a floating potential,

there being first and second electrically conductive members respectfully adjacent the first and second electrodes at a reference potential to provide for the creation of electrical fields respectively between the first electrode and the first electrically conductive member and between the second electrode and the second electrically conductive member.

6. In a combination as recited in claim 2,

a first source of alternating voltage for creating the bias on the first electrode, the bias on the first electrode being a negative direct voltage,
a second source of alternating voltage for creating the bias on the second electrode, the bias on the second electrode being a negative direct voltage,
the first electrode being disposed in a substantially parallel and contiguous relationship to the wafer,

there being a path for the flow of the molecules of the inert gas from the vicinity of the first and second electrodes and the magnetic members,

the wafer being at a floating potential,

there being first and second electrically conductive members respectfully adjacent, but spaced from, the first and second electrodes at a reference potential to provide for the creation of electrical fields respectively between the first electrode and the first electrically conductive member and between the second electrode and the second electrically conductive member.

7. In combination for etching an insulating layer in a wafer to present a clean and fresh surface on the insulating layer for deposition,

an enclosure defined by magnetic members forming a magnetic field and by first and second electrodes spaced from each other and from the wafers and providing electrical fields,

a supply of molecules of an inert gas for introducing the molecules into the enclosure,

a first source of an alternating voltage for producing a direct negative voltage of a high magnitude on the first electrode for the creation of a first electrical field of a high magnitude in the enclosure,

a second source of an alternating voltage for producing a direct negative voltage of a low magnitude on the second electrode for the creation of a second electrical field of a low magnitude in the enclosure,

the molecules of the inert gas in the enclosure being ionized by the combination of the electrical and magnetic fields, and

the wafer being disposed relative to the second electrode and relative to the ions of the inert gas in the enclosure to receive an etching of a low magnitude on the surface of the insulating layer by the ions of the inert gas in the enclosure.

8. In a combination as set forth in claim 7,

an opening in the enclosure for the flow of the molecules and ions of the inert gas from the enclosure,

the first source of the alternating voltage being operative to produce a direct voltage of the high magnitude and a negative polarity at the first electrode,

the second source of the alternating voltage being operative to produce a direct voltage of the low magnitude and a negative polarity at the second electrode,
the second electrode being disposed in contiguous, but spaced, relationship to the wafer.

9. In a combination as set forth in claim 7,
a first electrical conductor disposed in adjacent but spaced relationship to the first electrode at a particular reference potential to produce a first electrical field between the first electrode and the first electrical conductor, and
a second electrical conductor disposed in adjacent but spaced relationship to the second electrode at the particular reference potential to produce a second electrical field between the second electrode and the second electrical conductor.

10. In a combination as set forth in claim 7,
the wafer being disposed between the first and second electrodes in a substantially parallel relationship to the first and second electrodes and closer to the second electrode than the first electrode,
the wafer being at a floating potential relative to the negative potentials on the first and second electrodes and relative to the reference potential.

11. In a combination as set forth in claim 7,
the wafer being disposed in a spaced, but adjacent, relationship to the second electrode to create a first capacitor between the second electrode and the wafer and to create a second capacitor between the wafer and the ions of the inert gas in the enclosure.

12. In a combination as set forth in claim 10,
a vacuum pump for producing a vacuum in the enclosure, there being a
space between the second electrode and the second conductive member for the flow of
the molecules and ions of the inert gas from the enclosure.

13. In a combination as set forth in claim 10,
a first electrical conductor disposed in an adjacent, but spaced, relationship
to the first electrode at a particular reference potential to produce a first electrical field
between the first electrode and the first electrical conductor,
a second electrical conductor disposed in an adjacent, but spaced,
relationship to the second electrode at the particular reference potential to produce a
second electrical field between the second electrode and the second conductor,
the wafer being disposed in a spaced, but contiguous, relationship to the
second electrode to create a first capacitor between the second electrode and the wafer
and to create a second capacitor between the wafer and the ions of the inert gas in the
enclosure.

14. In combination for etching an insulating layer in a wafer disposed in an
enclosure to present a clean and fresh surface on the insulating layer for deposition,
magnetic members defining a magnetic field in the enclosure,
a first source of an alternating voltage for providing a first electrical field of
a high magnitude in the enclosure,

a first electrode included in the enclosure and connected to the first source of voltage for providing a negative DC voltage of a relatively high magnitude at a first position in the enclosure,

a second source of an alternating voltage for providing a second electrical field of a low magnitude in the enclosure,

a second electrode included in the enclosure and connected to the second source of the alternating voltage for providing a negative DC voltage of a relatively low magnitude at a second position displaced from the first position and the wafer but near the wafer,

a conduit for introducing molecules of an inert gas into the enclosure for ionization by the combination of the electrical and magnetic fields to produce ions of high density,

the second electrode and the wafer providing a first capacitor of a high impedance, and the wafer and the ions in the enclosure providing a second capacitor of a low impedance, in a circuit to produce a current of a low magnitude for etching the surface of the insulating layer in the wafer.

15. In a combination as set forth in claim 14,

the first capacitor including a dielectric of the molecules and ions of the inert gas and the second capacitor including a dielectric constituting the insulating layer.

16. In a combination as set forth in claim 14,
a first electrically conductive member disposed in an adjacent but spaced
relationship to the first electrode and having a reference potential to provide an electrical
field between the first electrode and the first electrically conductive member, and
a second electrically conductive member disposed in an adjacent but spaced
relationship to the second electrode and having the reference potential to provide an
electrical field between the second electrode and the second electrically conductive
member.

17. In a combination as set forth in claim 14,
the wafer having a floating potential and being disposed between the first
and second electrodes in closer proximity to the second electrode than to the first
electrode and being substantially parallel to the first and second electrodes.

18. In a combination as set forth in claim 17,
the conduit being disposed adjacent the first electrode to introduce the
molecules of the inert gas into the enclosure and the molecules and ions of the inert gas
being passed from the enclosure at a position adjacent to the second electrode.

19. In a combination as set forth in claim 14,
the magnetic members being disposed in a direction substantially
perpendicular to the first and second electrodes to produce a helical movement of
electrons in the enclosure and to provide for the production of the ions from the
molecules of the inert gas by the electrons in the helical movement.

20. In a combination as set forth in claim 14,

a first electrically conductive member disposed in adjacent but spaced relationship to the first electrode and having a reference potential to provide an electrical field between the first electrode and the first electrically conductive member,

a second electrically conductive member disposed in adjacent but spaced relationship to the second electrode and having the reference potential to provide an electrical field between the second electrode and the second electrically conductive member,

the wafer having a floating potential and being disposed between the first and second electrodes in closer proximity to the second electrode than to the first electrode and being substantially parallel to the first and second electrodes,

the conduit being disposed adjacent, but spaced from, the first electrode to introduce the molecules of the inert gas into the enclosure and the molecules and ions of the inert gas being passed from the enclosure at a position adjacent to, but spaced from, the second electrode,

the magnetic members being disposed in a direction substantially perpendicular to the first and second electrodes to produce a helical movement of electrons in the enclosure and to provide for the production of the ions from the molecules of the inert gas by the electrons in the helical movement.

21. In combination for etching an insulating layer in a wafer to present clean and fresh surfaces on the insulating layer for deposition,

an enclosure

first and second electrodes disposed in the enclosure and displaced from each other and from the wafer for producing electrical fields in the enclosure, and magnetic members disposed in the enclosure for producing a magnetic field in the enclosure in a direction transverse to the electrical field,

a first voltage source for producing a voltage of a high magnitude in the vicinity of the first electrode to obtain a production of a high electrical field in the enclosure,

a second voltage source for producing a voltage of a low magnitude in the vicinity of the second electrode to obtain a production of a low electrical field in the enclosure, and

a supply of molecules of an inert gas for introduction into the enclosure to cooperate with the first and second electrodes and the magnetic members in obtaining an ionization of the gas molecules in the enclosure by the electrical and magnetic fields in the enclosure and in obtaining a movement of the ions in the enclosure to the insulating layer in the wafer at a speed to obtain a smooth and uniform etching of the surface of the insulating layer at a low rate without any pits in the surface of the insulating layer.

22. A method of etching an insulating layer in a wafer to present a clean and fresh surface on the insulation layer for a deposition on the insulating layer, including the steps of:

providing a relatively strong electrical field at first positions in an enclosure,

providing a relatively weak electrical field at second positions displaced in the enclosure from the first positions, the relatively weak electrical fields defining a capacitor with a high impedance to limit the transfer of electrical charges to the insulating layer in the wafer,

passing molecules of an inert gas through the enclosure, and

providing a magnetic field in the enclosure in a direction relative to the strong electrical field to obtain a movement of electrons in the enclosure at the positions of the strong electrical field and an ionization of molecules of the inert gas by the electrons and a movement of the ions in a direction relative to the weak electrical field to obtain a movement of the ions, in accordance with the high impedance of the capacitor defined by the relatively weak field, to the second electrode at a speed for etching the surface of the insulating layer on the wafer substantially uniformly without pitting the insulating layer.

23. A method as set forth in claim 22 wherein

the relatively strong electrical field is provided in a first direction and

the relatively weak electrical field is provided in a second direction

opposite to the first direction and wherein

the magnetic field is provided in a direction transverse to the first and second directions to cooperate with the relatively strong electrical field in producing a movement of the electrons in the enclosure in a helical path for facilitating the ionization of molecules of the inert gas in the enclosure.

24. A method as set forth in claim 22

the wafer is disposed in the weak electrical field and wherein
the molecules of the inert gas are passed through the enclosure initially to
positions in the relatively strong electrical field to obtain an ionization of molecules of
the inert gas and subsequently through the enclosure to positions in the relatively weak
electrical field to facilitate a substantially uniform etching of the surface of the insulating
layer on the wafer by the ions.

25. A method as set forth in claim 22 wherein

the wafer is disposed in the relatively weak electrical field and wherein
an electrode providing the relatively weak electrical field is spaced from,
but disposed relatively close to, the wafer to cooperate with the wafer in providing a high
impedance in the capacitor and a circuit including the capacitor for attracting the ions in
the weak electrical field to the wafer to etch the surface of the insulating layer on the
wafer without pitting the insulating layer.

26. A method as set forth in claim 21 wherein

the capacitor constitutes a first capacitor and wherein
the relatively weak electrical field is defined by the first capacitor and a
second capacitor in a series circuit and wherein
the first capacitor is defined by plates constituting an electrode and the
wafer and in which the plates of the first capacitor are separated by a space in which
molecules and ions of the inert gas are disposed to define the insulator for the first
capacitor and to provide the first capacitor with the high impedance and wherein

a second capacitor is defined by plates constituting the wafer and the ions of the inert gas in the enclosure and wherein the plates of the second capacitor are separated by the insulating layer in the wafer to define the insulator of the second capacitor and to provide the second capacitor with a relatively low impedance in comparison to the high impedance of the first capacitor.

27. A method as set forth in claim 26 wherein

the relatively strong electrical field is provided by a first electrode and a first alternating voltage providing a relatively high negative bias on the first electrode and wherein

the relatively weak electrical field is provided by a second electrode and by a second alternating voltage providing a relatively low bias on the second electrode.

28. A method as set forth in claim 26 wherein

the wafer is disposed in the relatively weak electrical field and wherein the molecules of the inert gas are passed through the enclosure initially through positions in the relatively strong electrical field to obtain an ionization of molecules of the inert gas and subsequently through positions in the relatively weak electrical field to facilitate a substantially uniform etching of the surface of the insulating layer on the wafer by the ions and wherein

the wafer is disposed in the relatively weak electrical field and wherein an electrode providing the relatively weak field is spaced from, but disposed relatively close to, the wafer to cooperate with the wafer in providing a high impedance in the first capacitor and a circuit including the second capacitor for attracting

the ions in the weak electrical field to the wafer to etch the surface of the insulating layer on the wafer without pitting the insulating layer.

29. A method as set forth in claim 26 wherein

the capacitor constitutes a first capacitor and wherein

the first capacitor and a second capacitor are in series and wherein

the first capacitor is defined by plates constituting an electrode and the

wafer and wherein

the plates of the first capacitor are separated by a space in which molecules and ions of the inert gas are disposed to define the insulator for the capacitor and to provide the high impedance and wherein

the second capacitor is defined by plates constituting the wafer and the ions of the inert gas in the enclosure and wherein the plates of the second capacitor are separated by the insulating layer in the wafer to define the insulator of the second capacitor and to provide a relatively low impedance in comparison to the high impedance of the first capacitor and wherein

the relatively strong electrical field is provided by a first electrode and a first alternating voltage providing a relatively high negative bias on the first electrode and wherein

the relatively weak electrical field is provided by a second electrode and by a second alternating voltage providing a relatively low negative bias on the second electrode.

30. A method of etching an insulating layer on a wafer to present a clean and fresh surface on the insulating layer for deposition, including the steps of passing molecules of an inert gas through an enclosure, disposing a first electrode in the enclosure to provide a strong electrical field in a first direction at first positions in the enclosure to ionize molecules of the inert gas in the enclosure, disposing a second electrode in the enclosure to provide a weak electrical field at second positions in the enclosure in a second direction opposite to the first direction, providing a magnetic field in the enclosure, in a direction transverse to the first and second directions, to cooperate with the strong electrical field in producing charged particles in the enclosure and to cooperate with the weak electrical field in producing a transfer of the charged particles to the surface of the insulating layer in the wafer to provide a weak and controlled etching of the surface of the insulating layer without producing pits in the surface of the insulating layer.

31. A method as set forth in claim 30 wherein the molecules of the inert gas pass through the enclosure from the strong electrical field to the weak electrical field and wherein the magnetic field is substantially perpendicular to the strong and weak electrical fields.

32. In a combination in claim 30 wherein
the strong electrical field is defined in part by the first electrode and by an alternating voltage applied at a first magnitude to the first electrode to bias the first electrode at a negative DC potential with a first magnitude and wherein
the weak electrical field is defined in part by the second electrode and by an alternating voltage applied to the second electrode at a second magnitude less than the first magnitude to bias the second electrode at a negative DC potential with a second magnitude less than the first magnitude for producing the transfer of the charged particles to the surface of the wafer to provide the weak and controlled etching of the surface of the insulating layer without producing pits in the surface of the insulating layer.

33. In a combination as set forth in claim 30 wherein
the magnetic field is provided by magnetic members and wherein
the magnetic members and the first and second electrodes define the enclosure.

34. In a combination as set forth in claim 30 wherein
the wafer is disposed in the weak electrical field and is separated from the second electrode in the weak electrical field.

35. In a combination as set forth in claim 30 wherein
the magnetic field is substantially perpendicular to the strong and weak electrical fields and wherein

the molecules of the inert gas pass into the enclosure through the strong magnetic field and the molecules and the ions of the inert gas pass from the enclosure through the weak electrical field.

36. A method as set forth in claim 30 wherein

the second electrode and the wafer constitute plates of a first capacitor and ions and molecules of the inert gas constitute the dielectric of the first capacitor and wherein

the wafer and the ions of the inert gas constitute plates of a second capacitor and wherein the insulating layer of the wafer constitutes the dielectric of the second capacitor and wherein

the first capacitor has a higher impedance than the second capacitor.

37. A method of etching an insulating layer on a wafer having at least one socket, defined by walls in the insulating layer, to present a clean and fresh surface on the insulating layer, including the walls of the socket, for deposition, including the steps of:

passing molecules of an inert gas through an enclosure,

providing a strong electrical field at first positions in the enclosure to ionize molecules of the inert gas in the enclosure

providing a weak electrical field at second positions, including the positions of the wafer, in the enclosure, and

providing a magnetic field in the enclosure in a direction transverse to the directions of the first and second electrical fields in the enclosure to cooperate with the strong electrical field in producing charged particles and to cooperate with the weak

electrical field in producing a transfer of the charged particles, to the surface of the insulating layer in the wafer and to the walls of the socket in the insulating layer, at a low speed to provide a weak and controlled etching of a uniform thickness from the surface of the insulating layer and the walls of the socket without pitting the surface of the insulating layer or the walls of the socket.

38. A method as set forth in claim 37, including the steps of:

providing a first electrode in the enclosure for the strong electrical field and introducing an alternating voltage of a first particular amplitude to the first electrode to produce a strong negative DC bias on the first electrode for the creation of the strong electrical field,

providing a second electrode in the enclosure for the weak electrical field and introducing an alternating voltage of a second particular amplitude less than the first particular amplitude to the second electrode to produce a weak negative DC bias on the second electrode for the creation of the weak electrical field.

39. A method as set forth in claim 37, including the steps of:

disposing the wafer in the enclosure in an adjacent but spaced relationship to the second electrode to provide a high impedance between the second electrode and the wafer for limiting the transfer of charged particles to the surface of the insulating layer and the walls of the socket and for providing for a removal of a substantially uniform thickness from the surface of the insulating layer and from the surfaces of the walls of the socket.

40. A method as set forth in claim 37, including the steps of:
providing a first electrode to create the strong electrical field,
providing a second electrode to create the weak electrical field,
providing magnets to create the magnetic field,
the first and second electrodes and the magnets substantially defining the
enclosure, and
disposing the wafer in the enclosure in a closely spaced relationship to the
second electrode.

41. A method as set forth in claim 37 wherein
the wafer is at a floating potential and wherein
the magnets are substantially at a ground potential and wherein
first and second members substantially at ground potential are provided
respectively in proximity to the first and second electrodes to cooperate respectively with
the first and second electrodes in creating the strong and weak electrical fields.

42. A method as set forth in claim 37 including the steps of:
introducing an alternating voltage of a first particular magnitude to the first
electrode to produce a strong negative DC bias on the first electrode for the creation of
the strong electrical field,
introducing an alternating voltage of a second particular magnitude less
than the first particular magnitude to the second electrode to produce a weak negative
bias on the second electrode for the creation of the weak electrical field, and

providing a high impedance between the second electrode and the wafer and a low impedance between the wafer and the charged particles near the wafer to produce a transfer of charged particles with limited energy to the surface of the insulating layer and the walls of the socket in the insulating layer and to provide the weak and controlled etching of the surface of the insulating layer and the walls of the socket with a substantially uniform thickness of material from the insulating layer and the wall of the socket without pitting the surface of the insulating layer or the walls of the socket.

43. In a combination as set forth in claim 21 wherein,

the first electrode provides the high electrical field in cooperation with the magnetic field for producing an ionization of molecules of an inert gas in the enclosure and wherein

the second electrode provides the low electrical field in cooperation with the magnetic field for etching the surface of the insulating layer on the wafer to obtain the smooth and uniform etching on the surface of the insulating layer at the low rate without any pits in the surface of the insulating layer.

44. In a combination as set forth in claim 21 wherein

the first voltage source applies an alternating voltage from the voltage source to the first electrode to produce a strong negative direct voltage in the vicinity of the first electrode and wherein

the second voltage source applies an alternating voltage from the second voltage source to the second electrode to produce a weak negative direct voltage in the vicinity of the second electrode.

45. In a combination as set forth in claim 21 wherein
a first electrical conducting member is disposed in a cooperative
relationship with the first electrode to provide for the production of the high electrical
field and wherein
a second electrical conducting member is disposed in a cooperative
relationship with the second electrode to provide for the production of the low electrical
field.

46. In a combination as set forth in claim 45 wherein
the first and second electrodes are substantially parallel to the wafer and
wherein
the first and second electrical conducting members are substantially parallel
to the first and second electrodes.

47. In a combination as set forth in claim 46 wherein
the first and second electrical conducting members are respectively
disposed in a substantially parallel, but spaced, relationship to the first and second
electrodes.

48. In a combination as set forth in claim 43 wherein
the wafer and the second electrode define a series relationship between two
(2) capacitors, one having a high capacity impedance and the other having a low capacity
impedance and wherein the high capacity impedance limits the energy providing for the
etching of the surface of the insulating layer in the wafer.

49. In a combination as set forth in claim 47 wherein,
the wafer and the second electrode define a series relationship between two (2)
capacitors, one having a high capacity impedance and the other having a low capacity
impedance and wherein the high capacity impedance limits the energy providing for the
etching of the surface of the insulating layer in the wafer.

50. In a combination a set forth in claim 44 wherein
a first electrical conducting member is disposed in cooperative relationship
with the first electrode to provide for the production of the high electrical field and
wherein
a second electrical conducting member is disposed in cooperative
relationship with the second electrode to provide for the production of the low electrical
field.

51. In a combination as set forth in claim 49 wherein
the first voltage source applies an alternating voltage from the first voltage
source to the first electrode to produce a strong negative direct voltage in the vicinity of
the first electrode and wherein
the second voltage source applies an alternating voltage from the source to
the second electrode to produce a weak negative direct voltage in the vicinity of the
second electrode wherein

a first electrical conducting member is disposed in cooperative relationship
with the first electrode to provide for the production of the high electrical field and
wherein

a second electrical conducting member is disposed in cooperative relationship with the second electrode to provide for the production of the low electrical field.

Respectfully submitted,

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9. Appendix.

1. In combination for etching an insulating layer in a wafer to present a clean and fresh surface on the insulating layer for deposition,
 - a conduit for molecules of an inert gas,
 - a first electrode biased to a first voltage and spaced from the wafer,
 - a second electrode biased to a second voltage lower than the first voltage and spaced from the first electrode and the wafer and ~~further~~ spaced from the wafer less than the first electrode,
 - magnetic members providing a magnetic field,
 - the first electrode and the magnetic members being disposed relative to each other and to the molecules of the inert gas for ionizing the molecules of the inert gas, and
 - the second electrode and the wafer being disposed relative to each other and to the ions of the inert gas, and the second electrode being constructed, to obtain a movement of the ions to the wafer at a low and controlled speed for an etching of the surface of the insulating layer by the ions at the low and controlled speed.
2. In a combination as set forth in claim 1,
 - a first member disposed adjacent the first electrode for providing a reference potential different from the bias on the first electrode to create a first electrical field, and
 - a second member disposed adjacent the second electrode for providing the reference potential to create a second electrical field,

adjacent the first and second electrodes at a reference potential to provide for the creation of electrical fields respectively between the first electrode and the first electrically conductive member and between the second electrode and the second electrically conductive member.

6. In a combination as recited in claim 2,

a first source of alternating voltage for creating the bias on the first electrode, the bias on the first electrode being a negative direct voltage,
a second source of alternating voltage for creating the bias on the second electrode, the bias on the second electrode being a negative direct voltage,
the first electrode being disposed in a substantially parallel and contiguous relationship to the wafer,
there being a path for the flow of the molecules of the inert gas from the vicinity of the first and second electrodes and the magnetic members,

the wafer being at a floating potential,
there being first and second electrically conductive members respectfully adjacent, but spaced from, the first and second electrodes at a reference potential to provide for the creation of electrical fields respectively between the first electrode and the first electrically conductive member and between the second electrode and the second electrically conductive member.

7. In combination for etching an insulating layer in a wafer to present a clean

and fresh surface on the insulating layer for deposition,

an enclosure defined by magnetic members forming a magnetic field and by

first and second electrodes spaced from each other and from the wafers and providing electrical fields,

a supply of molecules of an inert gas for introducing the molecules into the enclosure,

a first source of an alternating voltage for producing a direct negative voltage of a high magnitude on the first electrode for the creation of a first electrical field of a high magnitude in the enclosure,

a second source of an alternating voltage for producing a direct negative voltage of a low magnitude on the second electrode for the creation of a second electrical field of a low magnitude in the enclosure,

the molecules of the inert gas in the enclosure being ionized by the combination of the electrical and magnetic fields, and

the wafer being disposed relative to the second electrode and relative to the ions of the inert gas in the enclosure to receive an etching of a low magnitude on the surface of the insulating layer by the ions of the inert gas in the enclosure.

8. In a combination as set forth in claim 7,

an opening in the enclosure for the flow of the molecules and ions of the inert gas from the enclosure,

the first source of the alternating voltage being operative to produce a direct voltage of the high magnitude and a negative polarity at the first electrode,

the second source of the alternating voltage being operative to produce a direct voltage of the low magnitude and a negative polarity at the second electrode,

the second electrode being disposed in contiguous, but spaced, relationship to the wafer.

9. In a combination as set forth in claim 7,
a first electrical conductor disposed in adjacent but spaced relationship to the first electrode at a particular reference potential to produce a first electrical field between the first electrode and the first electrical conductor, and
a second electrical conductor disposed in adjacent but spaced relationship to the second electrode at the particular reference potential to produce a second electrical field between the second electrode and the second electrical conductor.
10. In a combination as set forth in claim 7,
the wafer being disposed between the first and second electrodes in a substantially parallel relationship to the first and second electrodes and closer to the second electrode than the first electrode,
the wafer being at a floating potential relative to the negative potentials on the first and second electrodes and relative to the reference potential.
11. In a combination as set forth in claim 7,
the wafer being disposed in a spaced, but adjacent, relationship to the second electrode to create a first capacitor between the second electrode and the wafer and to create a second capacitor between the wafer and the ions of the inert gas in the enclosure.
12. In a combination as set forth in claim 10,

a vacuum pump for producing a vacuum in the enclosure, there being a space between the second electrode and the second conductive member for the flow of the molecules and ions of the inert gas from the enclosure.

13. In a combination as set forth in claim 10,

a first electrical conductor disposed in an adjacent, but spaced, relationship to the first electrode at a particular reference potential to produce a first electrical field between the first electrode and the first electrical conductor,

a second electrical conductor disposed in an adjacent, but spaced, relationship to the second electrode at the particular reference potential to produce a second electrical field between the second electrode and the second conductor,

the wafer being disposed in a spaced, but contiguous, relationship to the second electrode to create a first capacitor between the second electrode and the wafer and to create a second capacitor between the wafer and the ions of the inert gas in the enclosure.

14. In combination for etching an insulating layer in a wafer disposed in an enclosure to present a clean and fresh surface on the insulating layer for deposition,

magnetic members defining a magnetic field in the enclosure,
a first source of an alternating voltage for providing a first electrical field of a high magnitude in the enclosure,

a first electrode included in the enclosure and connected to the first source of voltage for providing a negative DC voltage of a relatively high magnitude at a first position in the enclosure,

a second source of an alternating voltage for providing a second electrical field of a low magnitude in the enclosure,

a second electrode included in the enclosure and connected to the second source of the alternating voltage for providing a negative DC voltage of a relatively low magnitude at a second position displaced from the first position and the wafer but near the wafer,

a conduit for introducing molecules of an inert gas into the enclosure for ionization by the combination of the electrical and magnetic fields to produce ions of high density,

the second electrode and the wafer providing a first capacitor of a high impedance, and the wafer and the ions in the enclosure providing a second capacitor of a low impedance, in a circuit to produce a current of a low magnitude for etching the surface of the insulating layer in the wafer.

15. In a combination as set forth in claim 14,

the first capacitor including a dielectric of the molecules and ions of the inert gas and the second capacitor including a dielectric constituting the insulating layer.

16. In a combination as set forth in claim 14,

a first electrically conductive member disposed in an adjacent but spaced relationship to the first electrode and having a reference potential to provide an electrical field between the first electrode and the first electrically conductive member, and

a second electrically conductive member disposed in an adjacent but spaced relationship to the second electrode and having the reference potential to provide an

electrical field between the second electrode and the second electrically conductive member.

17. In a combination as set forth in claim 14,

the wafer having a floating potential and being disposed between the first and second electrodes in closer proximity to the second electrode than to the first electrode and being substantially parallel to the first and second electrodes.

18. In a combination as set forth in claim 17,

the conduit being disposed adjacent the first electrode to introduce the molecules of the inert gas into the enclosure and the molecules and ions of the inert gas being passed from the enclosure at a position adjacent to the second electrode.

19. In a combination as set forth in claim 14,

the magnetic members being disposed in a direction substantially perpendicular to the first and second electrodes to produce a helical movement of electrons in the enclosure and to provide for the production of the ions from the molecules of the inert gas by the electrons in the helical movement.

20. In a combination as set forth in claim 14,

a first electrically conductive member disposed in adjacent but spaced relationship to the first electrode and having a reference potential to provide an electrical field between the first electrode and the first electrically conductive member,
a second electrically conductive member disposed in adjacent but spaced relationship to the second electrode and having the reference potential to provide an

electrical field between the second electrode and the second electrically conductive member,

the wafer having a floating potential and being disposed between the first and second electrodes in closer proximity to the second electrode than to the first electrode and being substantially parallel to the first and second electrodes,

the conduit being disposed adjacent, but spaced from, the first electrode to introduce the molecules of the inert gas into the enclosure and the molecules and ions of the inert gas being passed from the enclosure at a position adjacent to, but spaced from, the second electrode,

the magnetic members being disposed in a direction substantially perpendicular to the first and second electrodes to produce a helical movement of electrons in the enclosure and to provide for the production of the ions from the molecules of the inert gas by the electrons in the helical movement.

21. In combination for etching an insulating layer in a wafer to present clean and fresh surfaces on the insulating layer for deposition,

an enclosure

first and second electrodes disposed in the enclosure and displaced from each other and from the wafer for producing electrical fields in the enclosure, and magnetic members disposed in the enclosure for producing a magnetic field in the enclosure in a direction transverse to the electrical field,

a first voltage source for producing a voltage of a high magnitude in the vicinity of the first electrode to obtain a production of a high electrical field in the enclosure,

a second voltage source for producing a voltage of a low magnitude in the vicinity of the second electrode to obtain a production of a low electrical field in the enclosure, and

a supply of molecules of an inert gas for introduction into the enclosure to cooperate with the first and second electrodes and the magnetic members in obtaining an ionization of the gas molecules in the enclosure by the electrical and magnetic fields in the enclosure and in obtaining a movement of the ions in the enclosure to the insulating layer in the wafer at a speed to obtain a smooth and uniform etching of the surface of the insulating layer at a low rate without any pits in the surface of the insulating layer.

22. A method of etching an insulating layer in a wafer to present a clean and fresh surface on the insulation layer for a deposition on the insulating layer, including the steps of:

providing a relatively strong electrical field at first positions in an enclosure,

providing a relatively weak electrical field at second positions displaced in the enclosure from the first positions, the relatively weak electrical fields defining a capacitor with a high impedance to limit the transfer of electrical charges to the insulating layer in the wafer,

passing molecules of an inert gas through the enclosure, and

providing a magnetic field in the enclosure in a direction relative to the strong electrical field to obtain a movement of electrons in the enclosure at the positions of the strong electrical field and an ionization of molecules of the inert gas by the electrons and a movement of the ions in a direction relative to the weak electrical field to obtain a movement of the ions, in accordance with the high impedance of the capacitor defined by the relatively weak field, to the second electrode at a speed for etching the surface of the insulating layer on the wafer substantially uniformly without pitting the insulating layer.

23. A method as set forth in claim 22 wherein
the relatively strong electrical field is provided in a first direction and
the relatively weak electrical field is provided in a second direction
opposite to the first direction and wherein
the magnetic field is provided in a direction transverse to the first and
second directions to cooperate with the relatively strong electrical field in producing a
movement of the electrons in the enclosure in a helical path for facilitating the ionization
of molecules of the inert gas in the enclosure.

24. A method as set forth in claim 22
the wafer is disposed in the weak electrical field and wherein
the molecules of the inert gas are passed through the enclosure initially to
positions in the relatively strong electrical field to obtain an ionization of molecules of
the inert gas and subsequently through the enclosure to positions in the relatively weak

electrical field to facilitate a substantially uniform etching of the surface of the insulating layer on the wafer by the ions.

25. A method as set forth in claim 22 wherein
the wafer is disposed in the relatively weak electrical field and wherein
an electrode providing the relatively weak electrical field is spaced from,
but disposed relatively close to, the wafer to cooperate with the wafer in providing a high
impedance in the capacitor and a circuit including the capacitor for attracting the ions in
the weak electrical field to the wafer to etch the surface of the insulating layer on the
wafer without pitting the insulating layer.

26. A method as set forth in claim 21 wherein
the capacitor constitutes a first capacitor and wherein
the relatively weak electrical field is defined by the first capacitor and a
second capacitor in a series circuit and wherein
the first capacitor is defined by plates constituting an electrode and the
wafer and in which the plates of the first capacitor are separated by a space in which
molecules and ions of the inert gas are disposed to define the insulator for the first
capacitor and to provide the first capacitor with the high impedance and wherein
a second capacitor is defined by plates constituting the wafer and the ions
of the inert gas in the enclosure and wherein the plates of the second capacitor are
separated by the insulating layer in the wafer to define the insulator of the second

capacitor and to provide the second capacitor with a relatively low impedance in comparison to the high impedance of the first capacitor.

27. A method as set forth in claim 26 wherein

the relatively strong electrical field is provided by a first electrode and a first alternating voltage providing a relatively high negative bias on the first electrode and wherein

the relatively weak electrical field is provided by a second electrode and by a second alternating voltage providing a relatively low bias on the second electrode.

28. A method as set forth in claim 26 wherein

the wafer is disposed in the relatively weak electrical field and wherein the molecules of the inert gas are passed through the enclosure initially through positions in the relatively strong electrical field to obtain an ionization of molecules of the inert gas and subsequently through positions in the relatively weak electrical field to facilitate a substantially uniform etching of the surface of the insulating layer on the wafer by the ions and wherein

the wafer is disposed in the relatively weak electrical field and wherein an electrode providing the relatively weak field is spaced from, but disposed relatively close to, the wafer to cooperate with the wafer in providing a high impedance in the first capacitor and a circuit including the second capacitor for attracting

the ions in the weak electrical field to the wafer to etch the surface of the insulating layer on the wafer without pitting the insulating layer.

29. A method as set forth in claim 26 wherein
 - the capacitor constitutes a first capacitor and wherein
 - the first capacitor and a second capacitor are in series and wherein
 - the first capacitor is defined by plates constituting an electrode and the wafer and wherein
 - the plates of the first capacitor are separated by a space in which molecules and ions of the inert gas are disposed to define the insulator for the capacitor and to provide the high impedance and wherein
 - the second capacitor is defined by plates constituting the wafer and the ions of the inert gas in the enclosure and wherein the plates of the second capacitor are separated by the insulating layer in the wafer to define the insulator of the second capacitor and to provide a relatively low impedance in comparison to the high impedance of the first capacitor and wherein
 - the relatively strong electrical field is provided by a first electrode and a first alternating voltage providing a relatively high negative bias on the first electrode and wherein

the relatively weak electrical field is provided by a second electrode and by a second alternating voltage providing a relatively low negative bias on the second electrode.

30. A method of etching an insulating layer on a wafer to present a clean and fresh surface on the insulating layer for deposition, including the steps of passing molecules of an inert gas through an enclosure, disposing a first electrode in the enclosure to provide a strong electrical field in a first direction at first positions in the enclosure to ionize molecules of the inert gas in the enclosure, disposing a second electrode in the enclosure to provide a weak electrical field at second positions in the enclosure in a second direction opposite to the first direction, providing a magnetic field in the enclosure, in a direction transverse to the first and second directions, to cooperate with the strong electrical field in producing charged particles in the enclosure and to cooperate with the weak electrical field in producing a transfer of the charged particles to the surface of the insulating layer in the wafer to provide a weak and controlled etching of the surface of the insulating layer without producing pits in the surface of the insulating layer.

31. A method as set forth in claim 30 wherein the molecules of the inert gas pass through the enclosure from the strong electrical field to the weak electrical field and wherein the magnetic field is substantially perpendicular to the strong and weak electrical fields.

32. In a combination in claim 30 wherein
the strong electrical field is defined in part by the first electrode and by an
alternating voltage applied at a first magnitude to the first electrode to bias the first
electrode at a negative DC potential with a first magnitude and wherein
the weak electrical field is defined in part by the second electrode and by an
alternating voltage applied to the second electrode at a second magnitude less than the
first magnitude to bias the second electrode at a negative DC potential with a second
magnitude less than the first magnitude for producing the transfer of the charged particles
to the surface of the wafer to provide the weak and controlled etching of the surface of
the insulating layer without producing pits in the surface of the insulating layer.

33. In a combination as set forth in claim 30 wherein
the magnetic field is provided by magnetic members and wherein
the magnetic members and the first and second electrodes define the
enclosure.

34. In a combination as set forth in claim 30 wherein
the wafer is disposed in the weak electrical field and is separated from the
second electrode in the weak electrical field.

35. In a combination as set forth in claim 30 wherein
the magnetic field is substantially perpendicular to the strong and weak
electrical fields and wherein

the molecules of the inert gas pass into the enclosure through the strong magnetic field and the molecules and the ions of the inert gas pass from the enclosure through the weak electrical field.

36. A method as set forth in claim 30 wherein
the second electrode and the wafer constitute plates of a first capacitor and
ions and molecules of the inert gas constitute the dielectric of the first capacitor and
wherein
the wafer and the ions of the inert gas constitute plates of a second
capacitor and wherein the insulating layer of the wafer constitutes the dielectric of the
second capacitor and wherein
the first capacitor has a higher impedance than the second capacitor.

37. A method of etching an insulating layer on a wafer having at least one
socket, defined by walls in the insulating layer, to present a clean and fresh surface on the
insulating layer, including the walls of the socket, for deposition, including the steps of:
passing molecules of an inert gas through an enclosure,
providing a strong electrical field at first positions in the enclosure to ionize
molecules of the inert gas in the enclosure
providing a weak electrical field at second positions, including the positions
of the wafer, in the enclosure, and
providing a magnetic field in the enclosure in a direction transverse to the
directions of the first and second electrical fields in the enclosure to cooperate with the
strong electrical field in producing charged particles and to cooperate with the weak

electrical field in producing a transfer of the charged particles, to the surface of the insulating layer in the wafer and to the walls of the socket in the insulating layer, at a low speed to provide a weak and controlled etching of a uniform thickness from the surface of the insulating layer and the walls of the socket without pitting the surface of the insulating layer or the walls of the socket.

38. A method as set forth in claim 37, including the steps of:

providing a first electrode in the enclosure for the strong electrical field and introducing an alternating voltage of a first particular amplitude to the first electrode to produce a strong negative DC bias on the first electrode for the creation of the strong electrical field,

providing a second electrode in the enclosure for the weak electrical field and introducing an alternating voltage of a second particular amplitude less than the first particular amplitude to the second electrode to produce a weak negative DC bias on the second electrode for the creation of the weak electrical field.

39. A method as set forth in claim 37, including the steps of:

disposing the wafer in the enclosure in an adjacent but spaced relationship to the second electrode to provide a high impedance between the second electrode and the wafer for limiting the transfer of charged particles to the surface of the insulating layer and the walls of the socket and for providing for a removal of a substantially uniform thickness from the surface of the insulating layer and from the surfaces of the walls of the socket.

40. A method as set forth in claim 37, including the steps of:
providing a first electrode to create the strong electrical field,
providing a second electrode to create the weak electrical field,
providing magnets to create the magnetic field,
the first and second electrodes and the magnets substantially defining the
enclosure, and
disposing the wafer in the enclosure in a closely spaced relationship to the
second electrode.

41. A method as set forth in claim 37 wherein
the wafer is at a floating potential and wherein
the magnets are substantially at a ground potential and wherein
first and second members substantially at ground potential are provided
respectively in proximity to the first and second electrodes to cooperate respectively with
the first and second electrodes in creating the strong and weak electrical fields.

42. A method as set forth in claim 37 including the steps of:
introducing an alternating voltage of a first particular magnitude to the first
electrode to produce a strong negative DC bias on the first electrode for the creation of
the strong electrical field,
introducing an alternating voltage of a second particular magnitude less
than the first particular magnitude to the second electrode to produce a weak negative
bias on the second electrode for the creation of the weak electrical field, and

providing a high impedance between the second electrode and the wafer and a low impedance between the wafer and the charged particles near the wafer to produce a transfer of charged particles with limited energy to the surface of the insulating layer and the walls of the socket in the insulating layer and to provide the weak and controlled etching of the surface of the insulating layer and the walls of the socket with a substantially uniform thickness of material from the insulating layer and the wall of the socket without pitting the surface of the insulating layer or the walls of the socket.

43. In a combination as set forth in claim 21 wherein,

the first electrode provides the high electrical field in cooperation with the magnetic field for producing an ionization of molecules of an inert gas in the enclosure and wherein

the second electrode provides the low electrical field in cooperation with the magnetic field for etching the surface of the insulating layer on the wafer to obtain the smooth and uniform etching on the surface of the insulating layer at the low rate without any pits in the surface of the insulating layer.

44. In a combination as set forth in claim 21 wherein

the first voltage source applies an alternating voltage from the voltage source to the first electrode to produce a strong negative direct voltage in the vicinity of the first electrode and wherein

the second voltage source applies an alternating voltage from the second voltage source to the second electrode to produce a weak negative direct voltage in the vicinity of the second electrode.

49. In a combination as set forth in claim 47 wherein,

the wafer and the second electrode define a series relationship between two (2) capacitors, one having a high capacity impedance and the other having a low capacity impedance and wherein the high capacity impedance limits the energy providing for the etching of the surface of the insulating layer in the wafer.

50. In a combination a set forth in claim 44 wherein

a first electrical conducting member is disposed in cooperative relationship with the first electrode to provide for the production of the high electrical field and wherein

a second electrical conducting member is disposed in cooperative relationship with the second electrode to provide for the production of the low electrical field.

51. In a combination as set forth in claim 49 wherein

the first voltage source applies an alternating voltage from the first voltage source to the first electrode to produce a strong negative direct voltage in the vicinity of the first electrode and wherein

the second voltage source applies an alternating voltage from the source to the second electrode to produce a weak negative direct voltage in the vicinity of the second electrode wherein

a first electrical conducting member is disposed in cooperative relationship with the first electrode to provide for the production of the high electrical field and wherein

a second electrical conducting member is disposed in cooperative relationship with the second electrode to provide for the production of the low electrical field.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

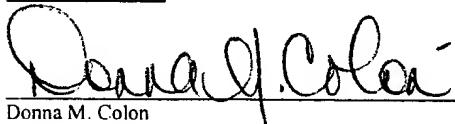
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Donna M. Colon



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

Inventor: Laptev, P.

Serial No. 09/829,587

Filed: 04/09/2001

For: SYSTEM FOR, AND METHOD OF,
ETCHING A SURFACE ON A WAFER

Examiner: Zervigon, R.

Group Art Unit: 1763

Confirmation No.: 7932

Client ID/Matter No.: SPUTT-56141

Date: November 7, 2003

Los Angeles, California 90045

APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. Real Property Interest

Sputtered Films, Inc., the assignee of record of the application.

2. Related Appeal and Interferences

None

3. Status of Claims

Claims 1-21 and 43-51 have been rejected by the Examiner on the basis of prior art cited by the Examiner. These are the only claims in the application.

4. Status of Amendment

On October 30, 2003, applicant filed an amendment under Rule 116 to make minor changes in claims 1, 3, 8, 9, 48 and 49, such minor changes having been noted by applicant's attorney in studying the claims to prepare this appeal brief. The changes in the claims do not affect the scope of the claims. They are being made to make the claims consistent with applicant's specification and drawings as originally filed. The Examiner has not had an opportunity to act upon these proposed changes. Applicant believes that the Examiner will agree to enter the amendment because the amendment corrects informalities noted by applicant's attorney in the claims without affecting the scope of the claims.

5. Summary of the Invention

Copy page 7, line 3, to page 15, line 13 of the specification.

6. Issues

a. Is applicant the first to provide a smooth and uniform deposition on the surface of a layer in a wafer?

b. Is applicant the first to provide two (2) electrical fields, one (1) to produce an ionization of molecules of an inert gas and the other to etch the surface of a layer in the wafer with a low energy from the ionized molecules to produce a smooth and uniform surface on the wafer?

c. Is applicant the first to provide two (2) electrical fields, one with a high strength to ionize molecules of an inert gas and the other with a low strength to etch the surface of the layer with the ionized gas and provide the surface with smooth and uniform characteristics?

d. Is applicant the first to provide two (2) electrodes, the first spaced further from the wafer than the second and the second contiguous to, but spaced from, the wafer and to use the first electrode in providing an electrical field with a high strength and to use the second electrode in providing an electrical field with a low strength?

e. Is applicant the first to provide a first electrode and a first electrical conducting member disposed relative to each other for producing a first electrical field of a high strength to ionize molecules of an inert gas and for providing a second electrode and a second electrical conducting member disposed relative to each other for producing a second electrical field of a low strength to the surface of the layer in the wafer to provide the surface of the wafer with smooth and uniform characteristics?

f. Is applicant the first to dispose the second electrode in contiguous, but spaced, relationship to the wafer to obtain the production of two capacitors in series, one having a low impedance and the second having a high impedance whereby the high impedance limits the flow of current through the capacitor and provides for the production of a smooth and uniform surface on an insulating layer in the wafer?

g. Is applicant the first to provide a dielectric of the molecules and ions of the inert gas as an insulation layer and to provide the insulation layer as the dielectric in the second capacitor?

h. Is applicant the first to define the plates of the capacitor of high impedance by the first electrode and by the electrically conductive layers in the wafer and to define the plates of the capacitor of low impedance by the electrically conductive layers in the wafer and the charge provided by the ions of the inert gas?

i. Is applicant the first to provide a wafer having a floating potential relative to the negative potentials on the first and second electrodes and relative to a reference potential in an apparatus for etching a surface of an insulating layer in a wafer to provide the surface with smooth and uniform characteristics?

7. Grouping of Claims

The Examiner has grouped applicant's claims into two (2) groups as follows:

a. Claims 1-4, 7-9, 11, 14-16, 19-21, 43-47 and 51. These claims have been rejected under 35 U.S.C. 102(b) as being anticipated by Koshimizu patent 5,980,687 and demonstrated by Mountsier patent 5,810,933.

b. Claims 5, 6, 10, 12, 13, 17, 18, 20, 48, 49 and 51. These claims have been rejected under 35 U.S.C. 103(a) as being unpatentable over Koshimizu patent 5,990,687 in view of Mountsier patent 5,810,933.

Applicant respectfully disagrees with the grouping of claims by the Examiner. Applicant proposes the following grouping of the claims and indicates below, for each group, how the claims in that group are patentably distinguished from the claims in the other groups.

i. Claims 1 and 4. These claims recite a combination that includes first and second electrodes wherein the first electrode is constructed, disposed

and biased to ionize molecules of an inert gas and the second electrode is constructed, disposed and biased to obtain a movement of ions of the inert gas to a wafer at a low and controlled speed for an etching of the insulating layer of the wafer by the ions at the low and controlled speed.

ii. Claims 2, 5, 6, 9, 16, 45, 46, 47 and 50. In addition to reciting the first and second electrodes, these claims recite first and second electrical conducting members respectively associated with the first and second electrodes to create first and second electrical fields.

iii. Claim 3. First and second sources of alternating voltages are provided for creating biases respectively on the first and second electrodes, the biases on the electrodes being negative direct voltages and the bias on the second electrode being less than the bias on the first electrode.

iv. Claims 7, 21, 43 and 44. First and second sources of alternating voltage respectively produce voltages of high and low magnitudes on, or in the vicinity of, the first and second electrodes for the creation respectively of first and second electrical fields of high and low strength in an enclosure. The wafer is disposed relative to the ions of an inert gas to receive an etching of a low magnitude on the surface of the insulating layer in the wafer.

v. Claim 8. The second electrode is contiguous to, but spaced from, the wafer.

vi. Claims 11, 14, 19, 48, 49 and 51. The wafer is disposed relative to the second electrode to create the first and second capacitors, one having a low impedance and the other having a high impedance.

vii. Claims 10, 12, 17, 18 and 20. The wafer is disposed between the first and second electrodes and a floating potential is provided on the wafer relative to the negative potential on the first and second electrodes.

viii. Claim 13. The wafer is disposed in a spaced, but contiguous, relationship to the second electrode to create a first capacitor between the second electrode and the wafer and to create a second capacitor between the wafer and the ions of the inert gas in the enclosure.

ix. Claim 15. The first capacitor includes a dielectric of the molecules and ions of the inert gas and the second capacitor includes a dielectric constituting the insulating layer(s) in the wafer.

8. Argument.

a. General Discussion Relating to the Differences Between Applicant's Invention (Not Applied Specifically to any of the Claims) and the prior art. Claim 1-4, 7-9, 11, 14-16, 19-21, 43-47 and 50 have been rejected under 35 U.S.C. 102(b) as being anticipated by Koshimizu patent 5,980,687 and demonstrated by Mountsier patent 5,810,933. The Examiner has had to cite two (2) references in combination to reject these claims. The claims are accordingly not anticipated by Koshimizu.

The Examiner has applied the electrodes 116 and 110, the wafer W attached to the electrode 116 and the conduit 202 in Koshimizu against claims 1-4, 7-9, 11, 14-16, 19-

21, 43-47 and 50. The citation of the electrodes 116 and 110 against these claims constitutes an aggregation. This results from the fact that the electrode 110 has no effect on the production of a deposition on the wafer W attached to the electrode 116. Similarly, the electrode 116 has no effect on the production of a deposition on the wafer W attached to the electrode 110. This may be seen from the following statement in Koshimizu at column 6, lines 27-30:

"Moreover, in the etching apparatus 100,
wafers W fixed on the first and second
susceptors 110 and 116 can simultaneously be
subjected to the same etching process, thereby
increasing the throughput of the apparatus."

A simultaneous deposition of two (2) wafers, each deposition performed independently of the other, does not mean that the apparatus for producing the two (2) wafers constitutes a combination.

Stating the results simply, the operation of the electrode 110 in Koshimizu does not affect the deposition produced on the upper one of the wafers as in Figure 3 by the voltage on the electrode 116. Furthermore, as will be discussed in detail subsequently, Mountsier does not teach or demonstrate what Koshimizu allegedly discloses but does not make operative.

The Examiner has admitted on page 8 of the Office Action dated October 11, 2003 that Koshimizu discloses an aggregation rather than a combination. This may be seen from the following statement by the Examiner at the top of page 8 of the Office Action:

"The Examiner agrees that Koshimizu
operates the second 110 and first electrodes 116
independently of each other to process any
number of wafers including one." (Underlining
supplied).

The word "independently" indicates that Koshimizu's apparatus is an aggregation.

Since the Koshimizu apparatus constitutes an aggregation, Koshimizu discloses two substantially identical combinations. One combination involves the electrode 116 (but not the electrode 110) and the wafer W closest to the electrode 116 and the other involves the electrode 110 (but not the electrode 116) and the wafer W closest to the electrode 110. As a result, Koshimizu does not disclose a combination involving two (2) electrodes. There may be two (2) separate combinations in Koshimizu, but the two (2) combinations constitute an aggregation. There is accordingly only a simple electrode (116 or 110) in each of the two (2) separate combinations in Koshimizu.

All of applicant's claims involve a combination of two (2) electrodes. These two (2) electrodes are interrelated in a single combination. Because of this, there is a fundamental difference between the single combination recited in applicant's claims and the two (2) independent combinations in Koshimizu.

There is another fundamental difference between the single combination recited in applicant's claims and the two (2) independent combinations constituting an aggregation in Koshimizu. One of applicant's electrodes (24) is involved in producing argon ions from argon molecules. The electrode 24 receives a high voltage. The other (22) of

applicant's electrodes is involved in etching a surface 12 of an insulated layer 14 in a wafer 16 at a low and controlled voltage and at a low energy to provide a smooth surface on the layer. In contrast, the electrodes 116 and 110 in Koshimizu perform the same function. Neither of the electrodes 116 and 110 in Koshimizu etches a surface of the wafer W at a low and controlled rate to provide the etching with a smooth surface.

There is a further significant difference between applicant's invention and Koshimizu. As shown in Figure 4a and 4B of applicant's drawings, applicant provides two (2) capacitors 52 and 54 in a series relationship. One of these capacitors has a high impedance. This limits to a low value the current flowing through the capacitors. This low current causes the etching of the material on the surface 12 of the layer 14 to be smooth and uniform.

In the Office Action dated July 11, 2003, the Examiner has made a number of statements about the construction and operation of the Koshimizu apparatus that are not supported by the specification and drawings in Koshimizu. These include the following:

- i. According to the Examiner on page 4 of the Office Action, a first member 104 is disposed adjacent the first electrode 116 for providing a reference potential different in magnitude from the bias on the first electrode. However, Koshimizu does not disclose the magnitude of the voltage on either of the electrodes 116 and 110. Thus, the Examiner's statement about voltage is unsupported. Furthermore, Koshimizu does not disclose the distance between the electrode 116 and the container 104. However, judging from Figure 1 in Koshimizu, the electrode 116 and the container

104 do not appear to be adjacent each other. Koshimizu also does not disclose that the electrode 116 and the container 104 produce a first electrical field.

ii. Koshimizu states on page 4 of the Office Action that the annular rail 204 is adjacent the electrode 110 for providing the reference potential to create a second electrical field. The voltage applied to the electrode 110 is not disclosed in Koshimizu. Koshimizu does not disclose the application of any voltage to the electrode 110 or the annular rail 204. Koshimizu does not disclose that the annular rail 204 is adjacent to the electrode 110. Figure 3 in Koshimizu does not indicate any such adjacent relationship. It would appear that no electrical field is created by the electrode 110 and the annular rail 204. This is particularly true since the annular rail 204 appears to be floating because it is disposed on the insulating support plate 108.

iii. There is a statement by the Examiner on page 4 of the Office Action that a first source 134 of alternating voltage creates a bias on the electrode 116, this bias being a negative direct voltage. There is no indication in Koshimizu that the alternating voltage from the source 134 creates a bias or a negative direct voltage. The Examiner attempts to use applicant's disclosure to support his statement that there is a bias of a negative direct voltage on the electrode 116. However, Koshimizu does not disclose the production of positive ions in first half cycles and negative electrons in the other half cycles. Therefore, applicant's disclosure is not applicable to Koshimizu.

iv. The Examiner states on page 3 of the Office Action that the second source 130 of alternating voltage creates a bias on the electrode 110, this bias being a negative direct voltage. There is no indication in Koshimizu that the alternating

voltage from the source 130 creates a bias or that any such bias is a negative direct voltage.

v. The Examiner states on page 4 of the Office Action that "...it is anticipated by Koshimizu and common practice in he art that all wafers (or other articles) positioned on supports or electrodes would necessarily have a gap between the wafer/article and the support surface upon which the wafer/article is resting or electrically clamped." This is an unsupported statement by the Examiner. The Examiner should be required to provide support in the prior art for this statement, particularly since the Examiner states that this is "common practice in the art." If it is "common practice in the art," Examiner should have no difficulty in providing a prior art reference that discloses that it is "common practice." Furthermore, the sentence quoted above with the words "and where providing a direct current bias as a result of the first (134) and second (130) sources of alternating voltage" has no meaning, particularly since there is no verb.

vi. The Examiner then states on pages 4 and 5 of the Office Action:

"This is demonstrated by Mountsier who shows a typical wafer-support interface (62/52; Figure 6). As such, when the structure recited in the reference is substantially identical to that of the claims, claimed properties or functions are presumed to be inherent."

Where does Mountsier "demonstrate" this? Applicant finds no demonstration to this effect in Mountsier. Certainly the structure 62/52 in Figure 6 of Mountsier does not disclose this.

vii. According to the Examiner on page 3 of the Office Action dated July 11, 2003, "the first (116) electrode is contiguous (neighboring) to, but spaced from, the wafer (W attached to the electrode 116 Figure 1, 3)." If the wafer is attached to the electrode 116, the wafer cannot be contiguous to the electrode. Furthermore, the wafer W is not "contiguous" or "neighboring" to the electrode 116. Koshimizu indicates in column 4, lines 8-10, that the electrode 116 "can fix a wafer W thereon." This prevents the wafer W and the electrode 116 from being contiguous. Furthermore, the drawings in Koshimizu show the wafer W as being disposed on the electrode 116.

viii. In column 4, lines 48-51, Koshimizu states:

"Thus, predetermined high frequency powers are, preferably the same high frequency power is, applied to the first and second susceptors 110 and 116, respectively."

Koshimizu does not disclose that different amounts of power are applied to the susceptors 110 and 116. Even if different amounts of power should be applied to the susceptors 110 and 116, Koshimizu does not disclose which one of the susceptors receives the greater amount of power.

ix. According to the Examiner on page 6 of the Office Action dated July 11, 2003:

"Mountsier, as stated above, teaches a wafer support platform (52, Figure 5; column 4, lines 20-23) (sic) that provide a series relationship between two capacitors, one (68 dielectric gap; Figure 5; column 4, lines 20-23) having a high capacity impedance and the other (80/82 dielectric gap; Figure 6) having a low capacity impedance. In particular, because the wafer support 52 is made of an electrical insulator (ceramic, column 5, lines 8-20) capacitance across the stated points is established and the wafer (62) is electrically floated."

Applicant respectfully disagrees with the Examiner's position that Mountsier discloses two (2) capacitors and that, if there are two (2) capacitors, one has a high impedance and the other has a low impedance. This may be seen primarily from Figures 5, 6 and 7 in Mountsier. In Figure 5, the different elements shown have the following properties:

68 - gap filled with a gas such as helium or nitrogen

52 – ceramic disk

54 – layer of thermally conductive paste

56 – metal support disc

58 – layer of thermally conductive paste

60 – metallic coating disc

Figures 5 and 7 show a device for cooling the wafer 62. There is no discussion by Mountsier that the device provides electrical capacitors. Furthermore, the element 54 and 58 constitute thermally conductive paste. A thermal conductor is not necessarily an electrical conductor. If the elements 54 and 58 are electrically conductive, only the ceramic disc 52 is dielectric. This prevents the device in Figures 5 and 7 from providing two (2) capacitors. If the elements 54 and 58 are electrical insulators, it is possible to have two (2) capacitors in series assuming that the metal support disc 56 serves as a conductive plate in each of the capacitors.

Even if Figure 5 and/or in Mountsier can be considered to provide two (2) capacitors, one does not have a high impedance and the other a low impedance. There is no statement in Mountsier to this effect. Furthermore, the dimensions of the elements in Figure 5 of Koshimizu do not support this. Figure 6 in Koshimizu is no help to the Examiner in this regard since Figure 6 shows only the wafer 62 and the ceramic disc 52.

Of course, it is possible that one of the thermally conductive plates 54 and 58 may be electrically conductive and the other may be electrically insulating. This further establishes that Mountsier has not provided a sufficient disclosure to support the Examiner's position since it provides different possibilities, not clarified, in either Koshimizu or Mountsier.

b. Differences between applicant's invention and Koshimizu (as applied specifically to the claims).

There are other significant reasons why claims 1-21 and 43-51 are allowable over Koshimizu. For example, claim 1 is allowable over Koshimizu because Koshimizu does not disclose a first electrode and magnetic members disposed relative to each other and to the molecules of an inert gas for ionizing molecules of the inert gas. There is also disclosure in Koshimizu that a second electrode and a wafer are disposed relative to each other and to the ions of the inert gas, and the second electrode is constructed, to obtain a movement of the ions to a surface of an insulating layer in the wafer at a low and controlled speed for an etching of the surface of the insulating layer by the ions at the low and controlled speed. Certainly neither the electrode 110 nor the electrode 116 in Koshimizu performs this function.

Claim 2 is dependent from claim 1 and is accordingly allowable over Koshimizu for the same reasons as claim 1. Claim 2 is also allowable over Koshimizu because Koshimizu does not disclose that a first electrical field and a magnetic field are disposed relative to each other and to the molecules of the inert gas for ionizing the molecules of the inert gas. Koshimizu also does not disclose that a second electrical field and the magnetic field are disposed relative to each other and to the ions of the inert gas to obtain the movement of the ions to the wafer at the low and controlled speed for an etching of the surface of the wafer by the ions at the low and controlled speed.

Claim 3 is allowable over Koshimizu because it is dependent from allowable claim 1. This is also true of claim 4.

Koshimizu does not disclose certain of the features recited in claim 7. For example, Koshimizu does not disclose first and second electrodes and a first source of an

alternating voltage for producing a direct negative voltage of a high magnitude on the first electrode for the creation of a first electrical field of a high magnitude in an enclosure. There is also disclosure in Koshimizu of a second source of an alternating voltage for producing a direct negative voltage of a low magnitude on the second electrode for the creation of a second electrical field of a low magnitude in the enclosure. No disclosure is further provided in Koshimizu that the wafer is disposed relative to the second electrode and to the ions of the inert gas in the enclosure to receive an etching of a low magnitude on the surface of an insulating layer in the wafer by the ions of the inert gas in the enclosure.

Because of its dependency from claim 7, claim 8 is allowable over Koshimizu for the same reasons as claim 7. Claim 8 is also allowable over Koshimizu because of the recitation of the operation of the first and second sources of alternating voltages respectively to produce a direct voltage of a high magnitude and a negative polarity on the first electrode and to produce a direct voltage of a low magnitude and a negative polarity on the second electrode and because of the recitation that the second electrode is disposed in a contiguous, but spaced, relationship to the wafer.

Applicant recites in claim 9 first and second electrical conductors and their respective dispositions relative to the first and second electrodes. Koshimizu does not disclose first and second electrical conductors and certainly does not disclose first and second electrical conductors with the characteristics recited in claim 9. Claim 9 is also allowable over Koshimizu because it is dependent from allowable claim 7.

Claim 11 is allowable over Koshimizu because Koshimizu does not disclose that the wafer is disposed in a spaced, but adjacent, relationship to the second electrode to create a first capacitor between the second electrode and the wafer and to create a second capacitor between the wafer and the ions of the inert gas in the enclosure. Claim 11 is also allowable over Koshimizu for the same reasons as discussed above with respect to claim 7 because it is dependent from claim 7.

Claim 14 is allowable over Koshimizu because Koshimizu does not provide the following elements such as recited in the claim: (a) a first source of an alternating voltage, (b) a first electrode, (c) a second source of an alternating voltage, (d) a second electrode and (e) the recitation in lines 16-19 that the second electrode and the wafer provide a first capacitor of a high impedance and that the wafer and the ions in the enclosure provide a second capacitor of a low impedance in a circuit to produce a current of a low magnitude for etching the surface of the insulating layer in the wafer.

Because of its dependency from allowable claim 14, claim 15 is allowable over Koshimizu for the same reasons as allowable claim 14. Claim 15 additionally recites that the first capacitor includes a dielectric of the molecules and ions of the inert gas and that the second capacitor includes a dielectric constituting the insulating layers in the wafer. Koshimizu does not disclose these features.

Claim 16 is allowable over Koshimizu because Koshimizu does not disclose first and second electrically conductive members such as recited in the claim. Claim 16 is also allowable over Koshimizu because of its dependency from allowable claim 14.

Claims 19 and 20 are dependent from allowable claim 14 and are accordingly allowable over Koshimizu for the same reasons as claim 14. Claim 20 is additionally allowable over Koshimizu for the same reasons as discussed above for claims 15 and 16.

In claim 21, the following recitations distinguish patentably over Koshimizu: (a) an enclosure including first and second electrodes, (b) a first voltage source for producing a voltage of a high magnitude on the first electrode to obtain a production of a high electrical field in the enclosure, (c) a second voltage source for producing a voltage of a low magnitude on the second electrode to obtain a production of a low electrical field in the enclosure and (d) a supply of molecules of an inert gas for introduction into the enclosure to cooperate with the first and second electrodes and magnetic members in obtaining an ionization of the gas molecules in the enclosure by the electrical and magnetic fields in the enclosure and in obtaining a movement of the ions in the enclosure to the insulating layer in the wafer at a speed to obtain a smooth and uniform etching of the surface of the insulating layer at a low rate without the creation of any pits in the surface of the insulating layer.

Claims 43-47 and 50 are directly or indirectly dependent from claim 21. Because of this, they are allowable over Koshimizu for the same reasons as claim 21. Claims 43-47 and 50 are also allowable over Koshimizu for these additional reasons:

Claim 43

The recitation of the first and second electrodes in cooperation with the magnetic field to produce the results specified in the claim.

Claim 44

The cooperation between the first voltage source and the first electrode to produce a strong negative direct voltage in the vicinity of the first electrode. The cooperation between the second voltage source and the second electrode to produce a weak negative direct voltage in the vicinity of the second electrode.

Claim 45

First and second electrical conducting members respectively in co-operative relationships with the first and second electrodes.

Claim 46

The relative disposition between first and second electrical conducting members and the first and second electrodes.

Claim 47

The relative disposition between the first electrical conducting member and the first electrode and between the second electrical conducting member and the second electrode.

Claim 50

The cooperative relationship between the first electrical conducting member and the first electrode and between the second electrical conducting member and the second electrode.

c. The effect of the combination of Mountsier with Koshimizu to reject applicant's claims as anticipated by Koshimizu.

The Examiner has referred to MPEP 2121.01 in indicating that Koshimizu is demonstrated by Mountsier. MPEP 2121.01 indicates that a second prior art reference may be combined with a first prior art reference when the first prior art reference does not provide an enabling disclosure. Apparently the Examiner believes that Koshimizu's patent, by itself, does not provide an enabling disclosure. This is certainly not a factor in favor of the citation of Koshimizu against applicant's claims. The Examiner is then applying Mountsier to make the Koshimizu disclosure enabling. This is apparently what the Examiner means by the words "demonstrated by Mountsier" in the first sentence of Section 3 on page 2 of the Office Action dated July 11, 2003.

One problem with respect to the Examiner's position is that the Examiner does not specify in the Office Action dated July 11, 2003 what is not enabling in Koshimizu with respect to applicant's claims 1-4, 7-9, 11, 14-16, 19-21, 43, 44, 45, 46, 47 and 50 and what Mountsier contributes to make Koshimizu enabling with respect to the discussion by the Examiner in Section 3 on pages 2-5 of the Office Action dated July 11, 2003. The only mention of Mountsier by the Examiner on pages 2-5 of the Office Action appears to be on page 3, line 6, and the next-to-last line on page 4 of the Office Action. These references to Mountsier are so vague that they have no meaning. Furthermore, the disc 52 and the wafer 62 in Figures 5-7 of Mountsier do not define first and second capacitors such as recited by applicant in the claims.

At any rate, claims 1-4, 7-9, 11, 14-16, 19-21, 43-47 and 5D are allowable over Mountsier for all of the reasons specified above as to why these claims are allowable over

Koshimizu. Since Mountsier is lacking the same features in applicant's claims as Koshimizu, Mountsier cannot "demonstrate" what Koshimizu does not teach.

Claims 5, 6, 10, 12, 13, 17, 18, 20, 48, 49 and 51 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Koshimizu in view of Mountsier. All of claims 5, 6, 10, 12, 13, 17, 18, 20, 48, 49 and 51 are dependent from claims allowable over Koshimizu as specified above and are accordingly allowable over the combination of Koshimizu and Mountsier for the same reasons as specified above for the claims from which they are dependent.

Claims 5, 6, 13, 20 and 51 also include a recitation of first and second electrical conducting members. Neither Koshimizu nor Mountsier discloses these electrical conducting members. This is another reason why claims 5, 6, 13, 20 and 51 are allowable over the combination of Koshimizu and Mountsier.

Claims 48 and 49 recite a series relationship between two (2) capacitors, one having a high capacity impedance and the other having a low capacity impedance wherein the high capacity impedance limits the energy providing for the etching of the surface of the insulating layer in the wafer. Neither Koshimizu nor Mountsier discloses two (2) capacitors having characteristics such as recited in claims 48 and 49. Contrary to the position of the Examiner, Mountsier does not teach two (2) capacitors in a series relationship, one capacitor having a high capacitor impedance and the other capacitor having a low capacitor impedance. The structure shown in Figures 5 and 6 of Mountsier does not provide two (2) capacitors in series, one with a high capacity impedance and the other with a low capacity impedance. Furthermore, the structure shown in Figures 5 and

6 of Mountsier is for cooling and not for providing electrical capacitance. For example, Mountsier does not disclose whether layers 54 and 52 of thermally conductive paste are made from an electrically dielectric material or an electrically conductive material.

Furthermore, the recitation that the high capacity impedance limits the energy providing for the etching of the surface of the insulating layer in the wafer constitutes a structural limitation, not a functional limitation. Neither Koshimizu nor Mountsier discloses this structural limitation.

Koshimizu states the following in column 4, lines 48 and 49:

". . . Thus, predetermined high frequency powers are, preferably the same high frequency power is, applied to the first and second susceptors 110 and 116, respectively."

Applicant agrees with the Examiner that Koshimizu infers by the word "preferably" that one of the electrodes 110 and 116 can receive a different amount of power than the other electrode. But there is no indication of which one of the electrodes can receive the greater amount of power.

Applicant is not certain what the Examiner means by the word "demonstrated" on page 3, line 6 of the Office Action dated July 11, 2003. Apparently, the Examiner is not satisfied with Koshimizu as a single reference. Since the Examiner has had to cite Mountsier in combination with Koshimizu, the claims should not be considered as anticipated by Koshimizu. Rather, the claims should be considered patentable over the combination of Koshimizu and Mountsier since Koshimizu does not disclose a number of

the features recited by applicant in the claims and Mountsier does not disclose the same features that Koshimizu fails to disclose.

d. The effect of the combination of Mountsier and applicant's alleged admission on page 12, lines 1-9 of applicant's specification to reject the claims.

Applicant has indicated above in detail all of the failures of Mountsier to disclose specific features recited in applicant's claims. As will be seen, these failures are many. These same features apply equally as well to applicant's alleged admissions on page 12, lines 1-9 of applicant's specification. The differences between applicant's invention as disclosed and claimed in this application and applicant's alleged admission on page 12, lines 1-9 of applicant's specification constitute the differences between success and failure. Applicant's prior embodiment did not provide a smooth and even etching of a surface of an insulating layer in a wafer. Applicant's apparatus as disclosed and claimed in this application provides a smooth and even etching of a surface of an insulating layer in a wafer.

e. The law relating to the combination of Koshimizu and Mountsier, and the combination of Mountsier and applicant's alleged admission, to reject the claims.

In order for different prior art references to be combined to reject a claim, the references have to disclose or suggest the combination recited in the claim. ACS Hospitality Systems, Inc. v. Montefiore Hospital, 732 F.2d 1572, 221 USPQ 929 (Fed. Cir. 1984). As the Federal Circuit indicated in the ACS case at 732 F.2d 1577, 1579, 221 USPQ 929, 933:

"Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention absent some teaching or suggestion supporting the combination. Under Section 103, teaching of references can be combined only if there is some suggestion or incentive to do so."

See also In re Fine, 837 F.2d 1071, 5 USPQ 2d 1596, (Fed. Cir. 1988) and In re Jones, 1958 F.2d 347, 21 USPQ 2d 1941 (Fed. Cir. 1992) in support of the holding in the ACS case. Neither Koshimizu nor Mountsier cited by the Examiner to reject the claims in this application discloses or suggests certain of the features recited in the claims. Furthermore, neither Mountsier nor applicant's alleged admissions discloses or suggests certain of the features recited in the claims. The references cannot accordingly be combined to reject the claims.

f. Reconsideration and allowance of the application are respectfully requested.

there being first and second electrically conductive members respectfully adjacent the first and second electrodes at a reference potential to provide for the creation of electrical fields respectively between the first electrode and the first electrically conductive member and between the second electrode and the second electrically conductive member.

6. In a combination as recited in claim 2,
 - a first source of alternating voltage for creating the bias on the first electrode, the bias on the first electrode being a negative direct voltage,
 - a second source of alternating voltage for creating the bias on the second electrode, the bias on the second electrode being a negative direct voltage,
 - the first electrode being disposed in a substantially parallel and contiguous relationship to the wafer,
 - there being a path for the flow of the molecules of the inert gas from the vicinity of the first and second electrodes and the magnetic members,
 - the wafer being at a floating potential,
 - there being first and second electrically conductive members respectfully adjacent, but spaced from, the first and second electrodes at a reference potential to provide for the creation of electrical fields respectively between the first electrode and the first electrically conductive member and between the second electrode and the second electrically conductive member.

7. In combination for etching an insulating layer in a wafer to present a clean and fresh surface on the insulating layer for deposition,

an enclosure defined by magnetic members forming a magnetic field and by first and second electrodes spaced from each other and from the wafers and providing electrical fields,

a supply of molecules of an inert gas for introducing the molecules into the enclosure,

a first source of an alternating voltage for producing a direct negative voltage of a high magnitude on the first electrode for the creation of a first electrical field of a high magnitude in the enclosure,

a second source of an alternating voltage for producing a direct negative voltage of a low magnitude on the second electrode for the creation of a second electrical field of a low magnitude in the enclosure,

the molecules of the inert gas in the enclosure being ionized by the combination of the electrical and magnetic fields, and

the wafer being disposed relative to the second electrode and relative to the ions of the inert gas in the enclosure to receive an etching of a low magnitude on the surface of the insulating layer by the ions of the inert gas in the enclosure.

8. In a combination as set forth in claim 7,

an opening in the enclosure for the flow of the molecules and ions of the inert gas from the enclosure,

the first source of the alternating voltage being operative to produce a direct voltage of the high magnitude and a negative polarity at the first electrode,

the second source of the alternating voltage being operative to produce a direct voltage of the low magnitude and a negative polarity at the second electrode,
the second electrode being disposed in contiguous, but spaced, relationship to the wafer.

9. In a combination as set forth in claim 7,
a first electrical conductor disposed in adjacent but spaced relationship to the first electrode at a particular reference potential to produce a first electrical field between the first electrode and the first electrical conductor, and
a second electrical conductor disposed in adjacent but spaced relationship to the second electrode at the particular reference potential to produce a second electrical field between the second electrode and the second electrical conductor.

10. In a combination as set forth in claim 7,
the wafer being disposed between the first and second electrodes in a substantially parallel relationship to the first and second electrodes and closer to the second electrode than the first electrode,
the wafer being at a floating potential relative to the negative potentials on the first and second electrodes and relative to the reference potential.

11. In a combination as set forth in claim 7,
the wafer being disposed in a spaced, but adjacent, relationship to the second electrode to create a first capacitor between the second electrode and the wafer and to create a second capacitor between the wafer and the ions of the inert gas in the enclosure.

12. In a combination as set forth in claim 10,
a vacuum pump for producing a vacuum in the enclosure, there being a
space between the second electrode and the second conductive member for the flow of
the molecules and ions of the inert gas from the enclosure.

13. In a combination as set forth in claim 10,
a first electrical conductor disposed in an adjacent, but spaced, relationship
to the first electrode at a particular reference potential to produce a first electrical field
between the first electrode and the first electrical conductor,
a second electrical conductor disposed in an adjacent, but spaced,
relationship to the second electrode at the particular reference potential to produce a
second electrical field between the second electrode and the second conductor,
the wafer being disposed in a spaced, but contiguous, relationship to the
second electrode to create a first capacitor between the second electrode and the wafer
and to create a second capacitor between the wafer and the ions of the inert gas in the
enclosure.

14. In combination for etching an insulating layer in a wafer disposed in an
enclosure to present a clean and fresh surface on the insulating layer for deposition,
magnetic members defining a magnetic field in the enclosure,
a first source of an alternating voltage for providing a first electrical field of
a high magnitude in the enclosure,

a first electrode included in the enclosure and connected to the first source of voltage for providing a negative DC voltage of a relatively high magnitude at a first position in the enclosure,

a second source of an alternating voltage for providing a second electrical field of a low magnitude in the enclosure,

a second electrode included in the enclosure and connected to the second source of the alternating voltage for providing a negative DC voltage of a relatively low magnitude at a second position displaced from the first position and the wafer but near the wafer,

a conduit for introducing molecules of an inert gas into the enclosure for ionization by the combination of the electrical and magnetic fields to produce ions of high density,

the second electrode and the wafer providing a first capacitor of a high impedance, and the wafer and the ions in the enclosure providing a second capacitor of a low impedance, in a circuit to produce a current of a low magnitude for etching the surface of the insulating layer in the wafer.

15. In a combination as set forth in claim 14,

the first capacitor including a dielectric of the molecules and ions of the inert gas and the second capacitor including a dielectric constituting the insulating layer.

16. In a combination as set forth in claim 14,
 - a first electrically conductive member disposed in an adjacent but spaced relationship to the first electrode and having a reference potential to provide an electrical field between the first electrode and the first electrically conductive member, and
 - a second electrically conductive member disposed in an adjacent but spaced relationship to the second electrode and having the reference potential to provide an electrical field between the second electrode and the second electrically conductive member.
17. In a combination as set forth in claim 14,
 - the wafer having a floating potential and being disposed between the first and second electrodes in closer proximity to the second electrode than to the first electrode and being substantially parallel to the first and second electrodes.
18. In a combination as set forth in claim 17,
 - the conduit being disposed adjacent the first electrode to introduce the molecules of the inert gas into the enclosure and the molecules and ions of the inert gas being passed from the enclosure at a position adjacent to the second electrode.
19. In a combination as set forth in claim 14,
 - the magnetic members being disposed in a direction substantially perpendicular to the first and second electrodes to produce a helical movement of electrons in the enclosure and to provide for the production of the ions from the molecules of the inert gas by the electrons in the helical movement.

20. In a combination as set forth in claim 14,

a first electrically conductive member disposed in adjacent but spaced relationship to the first electrode and having a reference potential to provide an electrical field between the first electrode and the first electrically conductive member,

a second electrically conductive member disposed in adjacent but spaced relationship to the second electrode and having the reference potential to provide an electrical field between the second electrode and the second electrically conductive member,

the wafer having a floating potential and being disposed between the first and second electrodes in closer proximity to the second electrode than to the first electrode and being substantially parallel to the first and second electrodes,

the conduit being disposed adjacent, but spaced from, the first electrode to introduce the molecules of the inert gas into the enclosure and the molecules and ions of the inert gas being passed from the enclosure at a position adjacent to, but spaced from, the second electrode,

the magnetic members being disposed in a direction substantially perpendicular to the first and second electrodes to produce a helical movement of electrons in the enclosure and to provide for the production of the ions from the molecules of the inert gas by the electrons in the helical movement.

21. In combination for etching an insulating layer in a wafer to present clean and fresh surfaces on the insulating layer for deposition,
an enclosure

first and second electrodes disposed in the enclosure and displaced from each other and from the wafer for producing electrical fields in the enclosure, and magnetic members disposed in the enclosure for producing a magnetic field in the enclosure in a direction transverse to the electrical field,

a first voltage source for producing a voltage of a high magnitude in the vicinity of the first electrode to obtain a production of a high electrical field in the enclosure,

a second voltage source for producing a voltage of a low magnitude in the vicinity of the second electrode to obtain a production of a low electrical field in the enclosure, and

a supply of molecules of an inert gas for introduction into the enclosure to cooperate with the first and second electrodes and the magnetic members in obtaining an ionization of the gas molecules in the enclosure by the electrical and magnetic fields in the enclosure and in obtaining a movement of the ions in the enclosure to the insulating layer in the wafer at a speed to obtain a smooth and uniform etching of the surface of the insulating layer at a low rate without any pits in the surface of the insulating layer.

22. A method of etching an insulating layer in a wafer to present a clean and fresh surface on the insulation layer for a deposition on the insulating layer, including the steps of:

providing a relatively strong electrical field at first positions in an enclosure,

providing a relatively weak electrical field at second positions displaced in the enclosure from the first positions, the relatively weak electrical fields defining a capacitor with a high impedance to limit the transfer of electrical charges to the insulating layer in the wafer,

passing molecules of an inert gas through the enclosure, and

providing a magnetic field in the enclosure in a direction relative to the strong electrical field to obtain a movement of electrons in the enclosure at the positions of the strong electrical field and an ionization of molecules of the inert gas by the electrons and a movement of the ions in a direction relative to the weak electrical field to obtain a movement of the ions, in accordance with the high impedance of the capacitor defined by the relatively weak field, to the second electrode at a speed for etching the surface of the insulating layer on the wafer substantially uniformly without pitting the insulating layer.

23. A method as set forth in claim 22 wherein
the relatively strong electrical field is provided in a first direction and
the relatively weak electrical field is provided in a second direction
opposite to the first direction and wherein
the magnetic field is provided in a direction transverse to the first and
second directions to cooperate with the relatively strong electrical field in producing a
movement of the electrons in the enclosure in a helical path for facilitating the ionization
of molecules of the inert gas in the enclosure.

24. A method as set forth in claim 22

the wafer is disposed in the weak electrical field and wherein
the molecules of the inert gas are passed through the enclosure initially to
positions in the relatively strong electrical field to obtain an ionization of molecules of
the inert gas and subsequently through the enclosure to positions in the relatively weak
electrical field to facilitate a substantially uniform etching of the surface of the insulating
layer on the wafer by the ions.

25. A method as set forth in claim 22 wherein

the wafer is disposed in the relatively weak electrical field and wherein
an electrode providing the relatively weak electrical field is spaced from,
but disposed relatively close to, the wafer to cooperate with the wafer in providing a high
impedance in the capacitor and a circuit including the capacitor for attracting the ions in
the weak electrical field to the wafer to etch the surface of the insulating layer on the
wafer without pitting the insulating layer.

26. A method as set forth in claim 21 wherein

the capacitor constitutes a first capacitor and wherein
the relatively weak electrical field is defined by the first capacitor and a
second capacitor in a series circuit and wherein
the first capacitor is defined by plates constituting an electrode and the
wafer and in which the plates of the first capacitor are separated by a space in which
molecules and ions of the inert gas are disposed to define the insulator for the first
capacitor and to provide the first capacitor with the high impedance and wherein

a second capacitor is defined by plates constituting the wafer and the ions of the inert gas in the enclosure and wherein the plates of the second capacitor are separated by the insulating layer in the wafer to define the insulator of the second capacitor and to provide the second capacitor with a relatively low impedance in comparison to the high impedance of the first capacitor.

27. A method as set forth in claim 26 wherein
the relatively strong electrical field is provided by a first electrode and a first alternating voltage providing a relatively high negative bias on the first electrode and wherein
the relatively weak electrical field is provided by a second electrode and by a second alternating voltage providing a relatively low bias on the second electrode.

28. A method as set forth in claim 26 wherein
the wafer is disposed in the relatively weak electrical field and wherein
the molecules of the inert gas are passed through the enclosure initially through positions in the relatively strong electrical field to obtain an ionization of molecules of the inert gas and subsequently through positions in the relatively weak electrical field to facilitate a substantially uniform etching of the surface of the insulating layer on the wafer by the ions and wherein
the wafer is disposed in the relatively weak electrical field and wherein
an electrode providing the relatively weak field is spaced from, but disposed relatively close to, the wafer to cooperate with the wafer in providing a high impedance in the first capacitor and a circuit including the second capacitor for attracting

the ions in the weak electrical field to the wafer to etch the surface of the insulating layer on the wafer without pitting the insulating layer.

29. A method as set forth in claim 26 wherein
 - the capacitor constitutes a first capacitor and wherein
 - the first capacitor and a second capacitor are in series and wherein
 - the first capacitor is defined by plates constituting an electrode and the wafer and wherein
 - the plates of the first capacitor are separated by a space in which molecules and ions of the inert gas are disposed to define the insulator for the capacitor and to provide the high impedance and wherein
 - the second capacitor is defined by plates constituting the wafer and the ions of the inert gas in the enclosure and wherein the plates of the second capacitor are separated by the insulating layer in the wafer to define the insulator of the second capacitor and to provide a relatively low impedance in comparison to the high impedance of the first capacitor and wherein
 - the relatively strong electrical field is provided by a first electrode and a first alternating voltage providing a relatively high negative bias on the first electrode and wherein
 - the relatively weak electrical field is provided by a second electrode and by a second alternating voltage providing a relatively low negative bias on the second electrode.

30. A method of etching an insulating layer on a wafer to present a clean and fresh surface on the insulating layer for deposition, including the steps of

- passing molecules of an inert gas through an enclosure,
- disposing a first electrode in the enclosure to provide a strong electrical field in a first direction at first positions in the enclosure to ionize molecules of the inert gas in the enclosure,
- disposing a second electrode in the enclosure to provide a weak electrical field at second positions in the enclosure in a second direction opposite to the first direction,
- providing a magnetic field in the enclosure, in a direction transverse to the first and second directions, to cooperate with the strong electrical field in producing charged particles in the enclosure and to cooperate with the weak electrical field in producing a transfer of the charged particles to the surface of the insulating layer in the wafer to provide a weak and controlled etching of the surface of the insulating layer without producing pits in the surface of the insulating layer.

31. A method as set forth in claim 30 wherein

- the molecules of the inert gas pass through the enclosure from the strong electrical field to the weak electrical field and wherein
- the magnetic field is substantially perpendicular to the strong and weak electrical fields.

32. In a combination in claim 30 wherein

the strong electrical field is defined in part by the first electrode and by an alternating voltage applied at a first magnitude to the first electrode to bias the first electrode at a negative DC potential with a first magnitude and wherein

the weak electrical field is defined in part by the second electrode and by an alternating voltage applied to the second electrode at a second magnitude less than the first magnitude to bias the second electrode at a negative DC potential with a second magnitude less than the first magnitude for producing the transfer of the charged particles to the surface of the wafer to provide the weak and controlled etching of the surface of the insulating layer without producing pits in the surface of the insulating layer.

33. In a combination as set forth in claim 30 wherein

the magnetic field is provided by magnetic members and wherein

the magnetic members and the first and second electrodes define the enclosure.

34. In a combination as set forth in claim 30 wherein

the wafer is disposed in the weak electrical field and is separated from the second electrode in the weak electrical field.

35. In a combination as set forth in claim 30 wherein

the magnetic field is substantially perpendicular to the strong and weak electrical fields and wherein

the molecules of the inert gas pass into the enclosure through the strong magnetic field and the molecules and the ions of the inert gas pass from the enclosure through the weak electrical field.

36. A method as set forth in claim 30 wherein

the second electrode and the wafer constitute plates of a first capacitor and ions and molecules of the inert gas constitute the dielectric of the first capacitor and wherein

the wafer and the ions of the inert gas constitute plates of a second capacitor and wherein the insulating layer of the wafer constitutes the dielectric of the second capacitor and wherein

the first capacitor has a higher impedance than the second capacitor.

37. A method of etching an insulating layer on a wafer having at least one socket, defined by walls in the insulating layer, to present a clean and fresh surface on the insulating layer, including the walls of the socket, for deposition, including the steps of:

passing molecules of an inert gas through an enclosure,

providing a strong electrical field at first positions in the enclosure to ionize molecules of the inert gas in the enclosure

providing a weak electrical field at second positions, including the positions of the wafer, in the enclosure, and

providing a magnetic field in the enclosure in a direction transverse to the directions of the first and second electrical fields in the enclosure to cooperate with the strong electrical field in producing charged particles and to cooperate with the weak

electrical field in producing a transfer of the charged particles, to the surface of the insulating layer in the wafer and to the walls of the socket in the insulating layer, at a low speed to provide a weak and controlled etching of a uniform thickness from the surface of the insulating layer and the walls of the socket without pitting the surface of the insulating layer or the walls of the socket.

38. A method as set forth in claim 37, including the steps of:

providing a first electrode in the enclosure for the strong electrical field and introducing an alternating voltage of a first particular amplitude to the first electrode to produce a strong negative DC bias on the first electrode for the creation of the strong electrical field,

providing a second electrode in the enclosure for the weak electrical field and introducing an alternating voltage of a second particular amplitude less than the first particular amplitude to the second electrode to produce a weak negative DC bias on the second electrode for the creation of the weak electrical field.

39. A method as set forth in claim 37, including the steps of:

disposing the wafer in the enclosure in an adjacent but spaced relationship to the second electrode to provide a high impedance between the second electrode and the wafer for limiting the transfer of charged particles to the surface of the insulating layer and the walls of the socket and for providing for a removal of a substantially uniform thickness from the surface of the insulating layer and from the surfaces of the walls of the socket.

40. A method as set forth in claim 37, including the steps of:

providing a first electrode to create the strong electrical field,

providing a second electrode to create the weak electrical field,

providing magnets to create the magnetic field,

the first and second electrodes and the magnets substantially defining the enclosure, and

disposing the wafer in the enclosure in a closely spaced relationship to the second electrode.

41. A method as set forth in claim 37 wherein

the wafer is at a floating potential and wherein

the magnets are substantially at a ground potential and wherein

first and second members substantially at ground potential are provided respectively in proximity to the first and second electrodes to cooperate respectively with the first and second electrodes in creating the strong and weak electrical fields.

42. A method as set forth in claim 37 including the steps of:

introducing an alternating voltage of a first particular magnitude to the first electrode to produce a strong negative DC bias on the first electrode for the creation of the strong electrical field,

introducing an alternating voltage of a second particular magnitude less than the first particular magnitude to the second electrode to produce a weak negative bias on the second electrode for the creation of the weak electrical field, and

providing a high impedance between the second electrode and the wafer and a low impedance between the wafer and the charged particles near the wafer to produce a transfer of charged particles with limited energy to the surface of the insulating layer and the walls of the socket in the insulating layer and to provide the weak and controlled etching of the surface of the insulating layer and the walls of the socket with a substantially uniform thickness of material from the insulating layer and the wall of the socket without pitting the surface of the insulating layer or the walls of the socket.

43. In a combination as set forth in claim 21 wherein,

the first electrode provides the high electrical field in cooperation with the magnetic field for producing an ionization of molecules of an inert gas in the enclosure and wherein

the second electrode provides the low electrical field in cooperation with the magnetic field for etching the surface of the insulating layer on the wafer to obtain the smooth and uniform etching on the surface of the insulating layer at the low rate without any pits in the surface of the insulating layer.

44. In a combination as set forth in claim 21 wherein

the first voltage source applies an alternating voltage from the voltage source to the first electrode to produce a strong negative direct voltage in the vicinity of the first electrode and wherein

the second voltage source applies an alternating voltage from the second voltage source to the second electrode to produce a weak negative direct voltage in the vicinity of the second electrode.

45. In a combination as set forth in claim 21 wherein
a first electrical conducting member is disposed in a cooperative
relationship with the first electrode to provide for the production of the high electrical
field and wherein
a second electrical conducting member is disposed in a cooperative
relationship with the second electrode to provide for the production of the low electrical
field.

46. In a combination as set forth in claim 45 wherein
the first and second electrodes are substantially parallel to the wafer and
wherein
the first and second electrical conducting members are substantially parallel
to the first and second electrodes.

47. In a combination as set forth in claim 46 wherein
the first and second electrical conducting members are respectively
disposed in a substantially parallel, but spaced, relationship to the first and second
electrodes.

48. In a combination as set forth in claim 43 wherein
the wafer and the second electrode define a series relationship between two
(2) capacitors, one having a high capacity impedance and the other having a low capacity
impedance and wherein the high capacity impedance limits the energy providing for the
etching of the surface of the insulating layer in the wafer.

49. In a combination as set forth in claim 47 wherein,
the wafer and the second electrode define a series relationship between two (2)
capacitors, one having a high capacity impedance and the other having a low capacity
impedance and wherein the high capacity impedance limits the energy providing for the
etching of the surface of the insulating layer in the wafer.

50. In a combination a set forth in claim 44 wherein
a first electrical conducting member is disposed in cooperative relationship
with the first electrode to provide for the production of the high electrical field and
wherein
a second electrical conducting member is disposed in cooperative
relationship with the second electrode to provide for the production of the low electrical
field.

51. In a combination as set forth in claim 49 wherein
the first voltage source applies an alternating voltage from the first voltage
source to the first electrode to produce a strong negative direct voltage in the vicinity of
the first electrode and wherein
the second voltage source applies an alternating voltage from the source to
the second electrode to produce a weak negative direct voltage in the vicinity of the
second electrode wherein

a first electrical conducting member is disposed in cooperative relationship
with the first electrode to provide for the production of the high electrical field and
wherein

a second electrical conducting member is disposed in cooperative relationship with the second electrode to provide for the production of the low electrical field.

Respectfully submitted,

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9. Appendix.

1. In combination for etching an insulating layer in a wafer to present a clean and fresh surface on the insulating layer for deposition,

a conduit for molecules of an inert gas,

a first electrode biased to a first voltage and spaced from the wafer,

a second electrode biased to a second voltage lower than the first voltage

and spaced from the first electrode and the wafer and ~~further~~ spaced from the wafer less

than the first electrode,

magnetic members providing a magnetic field,

the first electrode and the magnetic members being disposed relative to each other and to the molecules of the inert gas for ionizing the molecules of the inert gas, and

the second electrode and the wafer being disposed relative to each other and to the ions of the inert gas, and the second electrode being constructed, to obtain a movement of the ions to the wafer at a low and controlled speed for an etching of the surface of the insulating layer by the ions at the low and controlled speed.

2. In a combination as set forth in claim 1,

a first member disposed adjacent the first electrode for providing a reference potential different from the bias on the first electrode to create a first electrical field, and

a second member disposed adjacent the second electrode for providing the reference potential to create a second electrical field,

adjacent the first and second electrodes at a reference potential to provide for the creation of electrical fields respectively between the first electrode and the first electrically conductive member and between the second electrode and the second electrically conductive member.

6. In a combination as recited in claim 2,

a first source of alternating voltage for creating the bias on the first electrode, the bias on the first electrode being a negative direct voltage,

a second source of alternating voltage for creating the bias on the second electrode, the bias on the second electrode being a negative direct voltage,

the first electrode being disposed in a substantially parallel and contiguous relationship to the wafer,

there being a path for the flow of the molecules of the inert gas from the vicinity of the first and second electrodes and the magnetic members,

the wafer being at a floating potential,

there being first and second electrically conductive members respectfully adjacent, but spaced from, the first and second electrodes at a reference potential to provide for the creation of electrical fields respectively between the first electrode and the first electrically conductive member and between the second electrode and the second electrically conductive member.

7. In combination for etching an insulating layer in a wafer to present a clean and fresh surface on the insulating layer for deposition,

an enclosure defined by magnetic members forming a magnetic field and by

first and second electrodes spaced from each other and from the wafers and providing electrical fields,

a supply of molecules of an inert gas for introducing the molecules into the enclosure,

a first source of an alternating voltage for producing a direct negative voltage of a high magnitude on the first electrode for the creation of a first electrical field of a high magnitude in the enclosure,

a second source of an alternating voltage for producing a direct negative voltage of a low magnitude on the second electrode for the creation of a second electrical field of a low magnitude in the enclosure,

the molecules of the inert gas in the enclosure being ionized by the combination of the electrical and magnetic fields, and

the wafer being disposed relative to the second electrode and relative to the ions of the inert gas in the enclosure to receive an etching of a low magnitude on the surface of the insulating layer by the ions of the inert gas in the enclosure.

8. In a combination as set forth in claim 7,

an opening in the enclosure for the flow of the molecules and ions of the inert gas from the enclosure,

the first source of the alternating voltage being operative to produce a direct voltage of the high magnitude and a negative polarity at the first electrode,

the second source of the alternating voltage being operative to produce a direct voltage of the low magnitude and a negative polarity at the second electrode,

the second electrode being disposed in contiguous, but spaced, relationship to the wafer.

9. In a combination as set forth in claim 7,
a first electrical conductor disposed in adjacent but spaced relationship to the first electrode at a particular reference potential to produce a first electrical field between the first electrode and the first electrical conductor, and
a second electrical conductor disposed in adjacent but spaced relationship to the second electrode at the particular reference potential to produce a second electrical field between the second electrode and the second electrical conductor.

10. In a combination as set forth in claim 7,
the wafer being disposed between the first and second electrodes in a substantially parallel relationship to the first and second electrodes and closer to the second electrode than the first electrode,
the wafer being at a floating potential relative to the negative potentials on the first and second electrodes and relative to the reference potential.

11. In a combination as set forth in claim 7,
the wafer being disposed in a spaced, but adjacent, relationship to the second electrode to create a first capacitor between the second electrode and the wafer and to create a second capacitor between the wafer and the ions of the inert gas in the enclosure.

12. In a combination as set forth in claim 10,

a vacuum pump for producing a vacuum in the enclosure, there being a space between the second electrode and the second conductive member for the flow of the molecules and ions of the inert gas from the enclosure.

13. In a combination as set forth in claim 10,

a first electrical conductor disposed in an adjacent, but spaced, relationship to the first electrode at a particular reference potential to produce a first electrical field between the first electrode and the first electrical conductor,

a second electrical conductor disposed in an adjacent, but spaced, relationship to the second electrode at the particular reference potential to produce a second electrical field between the second electrode and the second conductor,

the wafer being disposed in a spaced, but contiguous, relationship to the second electrode to create a first capacitor between the second electrode and the wafer and to create a second capacitor between the wafer and the ions of the inert gas in the enclosure.

14. In combination for etching an insulating layer in a wafer disposed in an enclosure to present a clean and fresh surface on the insulating layer for deposition,

magnetic members defining a magnetic field in the enclosure,

a first source of an alternating voltage for providing a first electrical field of a high magnitude in the enclosure,

a first electrode included in the enclosure and connected to the first source of voltage for providing a negative DC voltage of a relatively high magnitude at a first position in the enclosure,

a second source of an alternating voltage for providing a second electrical field of a low magnitude in the enclosure,

a second electrode included in the enclosure and connected to the second source of the alternating voltage for providing a negative DC voltage of a relatively low magnitude at a second position displaced from the first position and the wafer but near the wafer,

a conduit for introducing molecules of an inert gas into the enclosure for ionization by the combination of the electrical and magnetic fields to produce ions of high density,

the second electrode and the wafer providing a first capacitor of a high impedance, and the wafer and the ions in the enclosure providing a second capacitor of a low impedance, in a circuit to produce a current of a low magnitude for etching the surface of the insulating layer in the wafer.

15. In a combination as set forth in claim 14,

the first capacitor including a dielectric of the molecules and ions of the inert gas and the second capacitor including a dielectric constituting the insulating layer.

16. In a combination as set forth in claim 14,

a first electrically conductive member disposed in an adjacent but spaced relationship to the first electrode and having a reference potential to provide an electrical field between the first electrode and the first electrically conductive member, and

a second electrically conductive member disposed in an adjacent but spaced relationship to the second electrode and having the reference potential to provide an

electrical field between the second electrode and the second electrically conductive member.

17. In a combination as set forth in claim 14,

the wafer having a floating potential and being disposed between the first and second electrodes in closer proximity to the second electrode than to the first electrode and being substantially parallel to the first and second electrodes.

18. In a combination as set forth in claim 17,

the conduit being disposed adjacent the first electrode to introduce the molecules of the inert gas into the enclosure and the molecules and ions of the inert gas being passed from the enclosure at a position adjacent to the second electrode.

19. In a combination as set forth in claim 14,

the magnetic members being disposed in a direction substantially perpendicular to the first and second electrodes to produce a helical movement of electrons in the enclosure and to provide for the production of the ions from the molecules of the inert gas by the electrons in the helical movement.

20. In a combination as set forth in claim 14,

a first electrically conductive member disposed in adjacent but spaced relationship to the first electrode and having a reference potential to provide an electrical field between the first electrode and the first electrically conductive member,

a second electrically conductive member disposed in adjacent but spaced relationship to the second electrode and having the reference potential to provide an

electrical field between the second electrode and the second electrically conductive member,

the wafer having a floating potential and being disposed between the first and second electrodes in closer proximity to the second electrode than to the first electrode and being substantially parallel to the first and second electrodes,

the conduit being disposed adjacent, but spaced from, the first electrode to introduce the molecules of the inert gas into the enclosure and the molecules and ions of the inert gas being passed from the enclosure at a position adjacent to, but spaced from, the second electrode,

the magnetic members being disposed in a direction substantially perpendicular to the first and second electrodes to produce a helical movement of electrons in the enclosure and to provide for the production of the ions from the molecules of the inert gas by the electrons in the helical movement.

21. In combination for etching an insulating layer in a wafer to present clean and fresh surfaces on the insulating layer for deposition,

an enclosure

first and second electrodes disposed in the enclosure and displaced from each other and from the wafer for producing electrical fields in the enclosure, and magnetic members disposed in the enclosure for producing a magnetic field in the enclosure in a direction transverse to the electrical field,

a first voltage source for producing a voltage of a high magnitude in the vicinity of the first electrode to obtain a production of a high electrical field in the enclosure,

a second voltage source for producing a voltage of a low magnitude in the vicinity of the second electrode to obtain a production of a low electrical field in the enclosure, and

a supply of molecules of an inert gas for introduction into the enclosure to cooperate with the first and second electrodes and the magnetic members in obtaining an ionization of the gas molecules in the enclosure by the electrical and magnetic fields in the enclosure and in obtaining a movement of the ions in the enclosure to the insulating layer in the wafer at a speed to obtain a smooth and uniform etching of the surface of the insulating layer at a low rate without any pits in the surface of the insulating layer.

22. A method of etching an insulating layer in a wafer to present a clean and fresh surface on the insulation layer for a deposition on the insulating layer, including the steps of:

providing a relatively strong electrical field at first positions in an enclosure,

providing a relatively weak electrical field at second positions displaced in the enclosure from the first positions, the relatively weak electrical fields defining a capacitor with a high impedance to limit the transfer of electrical charges to the insulating layer in the wafer,

passing molecules of an inert gas through the enclosure, and

providing a magnetic field in the enclosure in a direction relative to the strong electrical field to obtain a movement of electrons in the enclosure at the positions of the strong electrical field and an ionization of molecules of the inert gas by the electrons and a movement of the ions in a direction relative to the weak electrical field to obtain a movement of the ions, in accordance with the high impedance of the capacitor defined by the relatively weak field, to the second electrode at a speed for etching the surface of the insulating layer on the wafer substantially uniformly without pitting the insulating layer.

23. A method as set forth in claim 22 wherein

the relatively strong electrical field is provided in a first direction and

the relatively weak electrical field is provided in a second direction

opposite to the first direction and wherein

the magnetic field is provided in a direction transverse to the first and second directions to cooperate with the relatively strong electrical field in producing a movement of the electrons in the enclosure in a helical path for facilitating the ionization of molecules of the inert gas in the enclosure.

24. A method as set forth in claim 22

the wafer is disposed in the weak electrical field and wherein

the molecules of the inert gas are passed through the enclosure initially to positions in the relatively strong electrical field to obtain an ionization of molecules of the inert gas and subsequently through the enclosure to positions in the relatively weak

electrical field to facilitate a substantially uniform etching of the surface of the insulating layer on the wafer by the ions.

25. A method as set forth in claim 22 wherein
the wafer is disposed in the relatively weak electrical field and wherein
an electrode providing the relatively weak electrical field is spaced from,
but disposed relatively close to, the wafer to cooperate with the wafer in providing a high
impedance in the capacitor and a circuit including the capacitor for attracting the ions in
the weak electrical field to the wafer to etch the surface of the insulating layer on the
wafer without pitting the insulating layer.

26. A method as set forth in claim 21 wherein
the capacitor constitutes a first capacitor and wherein
the relatively weak electrical field is defined by the first capacitor and a
second capacitor in a series circuit and wherein
the first capacitor is defined by plates constituting an electrode and the
wafer and in which the plates of the first capacitor are separated by a space in which
molecules and ions of the inert gas are disposed to define the insulator for the first
capacitor and to provide the first capacitor with the high impedance and wherein
a second capacitor is defined by plates constituting the wafer and the ions
of the inert gas in the enclosure and wherein the plates of the second capacitor are
separated by the insulating layer in the wafer to define the insulator of the second

capacitor and to provide the second capacitor with a relatively low impedance in comparison to the high impedance of the first capacitor.

27. A method as set forth in claim 26 wherein
the relatively strong electrical field is provided by a first electrode and a
first alternating voltage providing a relatively high negative bias on the first electrode and
wherein

the relatively weak electrical field is provided by a second electrode and by
a second alternating voltage providing a relatively low bias on the second electrode.

28. A method as set forth in claim 26 wherein
the wafer is disposed in the relatively weak electrical field and wherein
the molecules of the inert gas are passed through the enclosure initially
through positions in the relatively strong electrical field to obtain an ionization of
molecules of the inert gas and subsequently through positions in the relatively weak
electrical field to facilitate a substantially uniform etching of the surface of the insulating
layer on the wafer by the ions and wherein

the wafer is disposed in the relatively weak electrical field and wherein
an electrode providing the relatively weak field is spaced from, but
disposed relatively close to, the wafer to cooperate with the wafer in providing a high
impedance in the first capacitor and a circuit including the second capacitor for attracting

the ions in the weak electrical field to the wafer to etch the surface of the insulating layer on the wafer without pitting the insulating layer.

29. A method as set forth in claim 26 wherein
 - the capacitor constitutes a first capacitor and wherein
 - the first capacitor and a second capacitor are in series and wherein
 - the first capacitor is defined by plates constituting an electrode and the wafer and wherein
 - the plates of the first capacitor are separated by a space in which molecules and ions of the inert gas are disposed to define the insulator for the capacitor and to provide the high impedance and wherein
 - the second capacitor is defined by plates constituting the wafer and the ions of the inert gas in the enclosure and wherein the plates of the second capacitor are separated by the insulating layer in the wafer to define the insulator of the second capacitor and to provide a relatively low impedance in comparison to the high impedance of the first capacitor and wherein
 - the relatively strong electrical field is provided by a first electrode and a first alternating voltage providing a relatively high negative bias on the first electrode and wherein

the relatively weak electrical field is provided by a second electrode and by a second alternating voltage providing a relatively low negative bias on the second electrode.

30. A method of etching an insulating layer on a wafer to present a clean and fresh surface on the insulating layer for deposition, including the steps of passing molecules of an inert gas through an enclosure, disposing a first electrode in the enclosure to provide a strong electrical field in a first direction at first positions in the enclosure to ionize molecules of the inert gas in the enclosure, disposing a second electrode in the enclosure to provide a weak electrical field at second positions in the enclosure in a second direction opposite to the first direction, providing a magnetic field in the enclosure, in a direction transverse to the first and second directions, to cooperate with the strong electrical field in producing charged particles in the enclosure and to cooperate with the weak electrical field in producing a transfer of the charged particles to the surface of the insulating layer in the wafer to provide a weak and controlled etching of the surface of the insulating layer without producing pits in the surface of the insulating layer.

31. A method as set forth in claim 30 wherein the molecules of the inert gas pass through the enclosure from the strong electrical field to the weak electrical field and wherein the magnetic field is substantially perpendicular to the strong and weak electrical fields.

the molecules of the inert gas pass into the enclosure through the strong magnetic field and the molecules and the ions of the inert gas pass from the enclosure through the weak electrical field.

36. A method as set forth in claim 30 wherein

the second electrode and the wafer constitute plates of a first capacitor and ions and molecules of the inert gas constitute the dielectric of the first capacitor and wherein

the wafer and the ions of the inert gas constitute plates of a second capacitor and wherein the insulating layer of the wafer constitutes the dielectric of the second capacitor and wherein

the first capacitor has a higher impedance than the second capacitor.

37. A method of etching an insulating layer on a wafer having at least one socket, defined by walls in the insulating layer, to present a clean and fresh surface on the insulating layer, including the walls of the socket, for deposition, including the steps of:

passing molecules of an inert gas through an enclosure,

providing a strong electrical field at first positions in the enclosure to ionize molecules of the inert gas in the enclosure

providing a weak electrical field at second positions, including the positions of the wafer, in the enclosure, and

providing a magnetic field in the enclosure in a direction transverse to the directions of the first and second electrical fields in the enclosure to cooperate with the strong electrical field in producing charged particles and to cooperate with the weak

electrical field in producing a transfer of the charged particles, to the surface of the insulating layer in the wafer and to the walls of the socket in the insulating layer, at a low speed to provide a weak and controlled etching of a uniform thickness from the surface of the insulating layer and the walls of the socket without pitting the surface of the insulating layer or the walls of the socket.

38. A method as set forth in claim 37, including the steps of:

providing a first electrode in the enclosure for the strong electrical field and introducing an alternating voltage of a first particular amplitude to the first electrode to produce a strong negative DC bias on the first electrode for the creation of the strong electrical field,

providing a second electrode in the enclosure for the weak electrical field and introducing an alternating voltage of a second particular amplitude less than the first particular amplitude to the second electrode to produce a weak negative DC bias on the second electrode for the creation of the weak electrical field.

39. A method as set forth in claim 37, including the steps of:

disposing the wafer in the enclosure in an adjacent but spaced relationship to the second electrode to provide a high impedance between the second electrode and the wafer for limiting the transfer of charged particles to the surface of the insulating layer and the walls of the socket and for providing for a removal of a substantially uniform thickness from the surface of the insulating layer and from the surfaces of the walls of the socket.

40. A method as set forth in claim 37, including the steps of:

providing a first electrode to create the strong electrical field,

providing a second electrode to create the weak electrical field,

providing magnets to create the magnetic field,

the first and second electrodes and the magnets substantially defining the enclosure, and

disposing the wafer in the enclosure in a closely spaced relationship to the second electrode.

41. A method as set forth in claim 37 wherein

the wafer is at a floating potential and wherein

the magnets are substantially at a ground potential and wherein

first and second members substantially at ground potential are provided respectively in proximity to the first and second electrodes to cooperate respectively with the first and second electrodes in creating the strong and weak electrical fields.

42. A method as set forth in claim 37 including the steps of:

introducing an alternating voltage of a first particular magnitude to the first electrode to produce a strong negative DC bias on the first electrode for the creation of the strong electrical field,

introducing an alternating voltage of a second particular magnitude less than the first particular magnitude to the second electrode to produce a weak negative bias on the second electrode for the creation of the weak electrical field, and

providing a high impedance between the second electrode and the wafer and a low impedance between the wafer and the charged particles near the wafer to produce a transfer of charged particles with limited energy to the surface of the insulating layer and the walls of the socket in the insulating layer and to provide the weak and controlled etching of the surface of the insulating layer and the walls of the socket with a substantially uniform thickness of material from the insulating layer and the wall of the socket without pitting the surface of the insulating layer or the walls of the socket.

43. In a combination as set forth in claim 21 wherein,

the first electrode provides the high electrical field in cooperation with the magnetic field for producing an ionization of molecules of an inert gas in the enclosure and wherein

the second electrode provides the low electrical field in cooperation with the magnetic field for etching the surface of the insulating layer on the wafer to obtain the smooth and uniform etching on the surface of the insulating layer at the low rate without any pits in the surface of the insulating layer.

44. In a combination as set forth in claim 21 wherein

the first voltage source applies an alternating voltage from the voltage source to the first electrode to produce a strong negative direct voltage in the vicinity of the first electrode and wherein

the second voltage source applies an alternating voltage from the second voltage source to the second electrode to produce a weak negative direct voltage in the vicinity of the second electrode.

45. In a combination as set forth in claim 21 wherein
a first electrical conducting member is disposed in a cooperative
relationship with the first electrode to provide for the production of the high electrical
field and wherein

a second electrical conducting member is disposed in a cooperative
relationship with the second electrode to provide for the production of the low electrical
field.

46. In a combination as set forth in claim 45 wherein
the first and second electrodes are substantially parallel to the wafer and
wherein

the first and second electrical conducting members are substantially parallel
to the first and second electrodes.

47. In a combination as set forth in claim 46 wherein
the first and second electrical conducting members are respectively
disposed in a substantially parallel, but spaced, relationship to the first and second
electrodes.

48. In a combination as set forth in claim 43 wherein
the wafer and the second electrode define a series relationship between two
(2) capacitors, one having a high capacity impedance and the other having a low capacity
impedance and wherein the high capacity impedance limits the energy providing for the
etching of the surface of the insulating layer in the wafer.

49. In a combination as set forth in claim 47 wherein,
the wafer and the second electrode define a series relationship between two (2)
capacitors, one having a high capacity impedance and the other having a low capacity
impedance and wherein the high capacity impedance limits the energy providing for the
etching of the surface of the insulating layer in the wafer.

50. In a combination a set forth in claim 44 wherein
a first electrical conducting member is disposed in cooperative relationship
with the first electrode to provide for the production of the high electrical field and
wherein
a second electrical conducting member is disposed in cooperative
relationship with the second electrode to provide for the production of the low electrical
field.

51. In a combination as set forth in claim 49 wherein
the first voltage source applies an alternating voltage from the first voltage
source to the first electrode to produce a strong negative direct voltage in the vicinity of
the first electrode and wherein
the second voltage source applies an alternating voltage from the source to
the second electrode to produce a weak negative direct voltage in the vicinity of the
second electrode wherein

a first electrical conducting member is disposed in cooperative relationship
with the first electrode to provide for the production of the high electrical field and
wherein

a second electrical conducting member is disposed in cooperative relationship with the second electrode to provide for the production of the low electrical field.

Respectfully submitted,

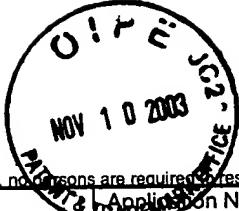
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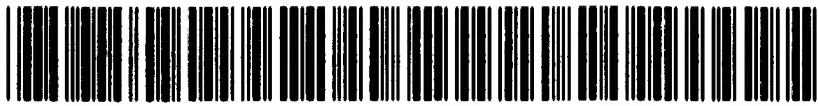
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